



The Journal OF THE *House of Representatives*

Number 36

Thursday, April 22, 2010

The House was called to order by the Speaker at 9:30 a.m.

Prayer

The following prayer was offered by Pastor Pam Powell of EBON Temple, P-Factor Life Ministries of Orlando, upon invitation of Rep. G. Thompson:

Almighty God, we gather today in this House, acknowledging Your presence. We gather today in this House, with the hope that our commitments and our actions will always make a difference. We gather today in this House, to make decisions that affect our homeland. We gather today in this House, knowing that united we stand and divided we fall. We ask Your forgiveness for our transgressions, and we thank You for the opportunity to represent and serve Your people.

Keep us running for You. Keep us lifting up our voices. Let us be positive. Let us be passionate. Let us be persistent. Let us be patient. Let us be prayerful. Let us be powerful, and let us be prosperous—so that we may all experience the thrill of victory, rather than the agony of defeat in our lives. We thank You now for hearing and answering our prayers, and we ask these blessings, Lord, in Your name. I personally pray in Jesus' name—God bless Florida, God bless the United States of America. And the people of the House said: Amen, Amen, and Amen! God be praised for you.

The following members were recorded present:

Session Vote Sequence: 869

Speaker Cretul in the Chair.

Adams	Drake	Homan	Patronis
Adkins	Eisnaugle	Hooper	Patterson
Anderson	Evers	Homer	Plakon
Aubuchon	Fetterman	Hudson	Planas
Bembry	Fitzgerald	Hukill	Poppell
Bernard	Flores	Jenne	Porth
Bovo	Ford	Jones	Precourt
Boyd	Fresen	Kiar	Proctor
Brandenburg	Frishe	Kreegel	Rader
Braynon	Gaetz	Kriseman	Randolph
Brisé	Galvano	Legg	Ray
Bullard	Garcia	Llorente	Reagan
Burgin	Gibbons	Long	Reed
Bush	Gibson	Lopez-Cantera	Rehwinkel Vasilinda
Cannon	Glorioso	Mayfield	Renuart
Carroll	Gonzalez	McBurney	Rivera
Chestnut	Grady	McKeel	Robaina
Clarke-Reed	Grimsley	Murzin	Roberson, K.
Cretul	Hasner	Nehr	Roberson, Y.
Crisafulli	Hays	Nelson	Rogers
Cruz	Heller	O'Toole	Rouson
Dorworth	Holder	Pafford	Sachs

Sands	Snyder	Thompson, N.	Weinstein
Saunders	Soto	Thurston	Williams, A.
Schenck	Stargel	Tobia	Williams, T.
Schultz	Steinberg	Van Zant	Wood
Schwartz	Taylor	Waldman	Workman
Skidmore	Thompson, G.	Weatherford	Zapata

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Carrie Hickman of Panama City at the invitation of Rep. Coley; Joshua Bazail of Miami at the invitation of Rep. Glorioso; Hampton Jordan of Marianna at the invitation of Rep. Drake; Christopher Lopez of Miami at the invitation of Rep. Rivera; Shannon McCabe of Tallahassee at the invitation of the Speaker pro tempore; Clare Moran of Boca Raton at the invitation of Rep. Skidmore; Bailey Smith of Tallahassee at the invitation of Rep. Llorente; and Jacob Stern of Miami Beach at the invitation of Rep. Garcia.

House Physician

The Speaker introduced Dr. Jennifer Capezzuti of Fort Lauderdale, who served in the Clinic today upon invitation of Rep. Thurston.

Correction of the *Journal*

The *Journal* of April 21 was corrected and approved as follows: On page 841, column 2, lines 10 and 11 from the top, between said lines, insert "The above bill was ordered enrolled."

And on the same page, same column, lines 14 and 15 from the top, between said lines, insert "The above bill was ordered enrolled."

And on the same page, same column, lines 18 and 19 from the top, between said lines, insert "The above bill was ordered enrolled."

And on the same page, same column, lines 22 and 23 from the top, between said lines, insert "The above bill was ordered enrolled."

Reports of Standing Councils and Committees

Reports of the Rules & Calendar Council

The Honorable Larry Cretul
Speaker, House of Representatives

April 20, 2010

Dear Mr. Speaker:

Your Rules & Calendar Council herewith submits the Special Order for Thursday, April 22, 2010. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

- CS/HB 731 - Criminal & Civil Justice Policy Council, Carroll
Uniform Commercial Code
- CS/HB 7095 - Economic Development & Community Affairs Policy
Council, Governmental Affairs Policy Committee, & others
Residential Fire Sprinkler Requirements
- CS/HB 393 - Governmental Affairs Policy Committee, Bovo, & others
Pub. Rec./Public Transit Provider
- CS/HB 1363 - State Universities & Private Colleges Policy Committee,
Glorioso
Postsecondary Student Fees
- CS/CS/CS/HB 631 - Economic Development & Community Affairs
Policy Council, Transportation & Economic Development
Appropriations Committee & others
Motor Vehicles
- CS/HB 1059 - Governmental Affairs Policy Committee, Domino
Pub. Rec./Examination Techniques and Procedures/DFS
- CS/HB 637 - Finance & Tax Council, Dorworth, & others
Admissions Tax
- CS/CS/CS/HB 665 - Economic Development & Community Affairs
Policy Council, Full Appropriations Council on Education &
Economic Development, & others
Affordable Housing
- CS/CS/HB 1503 - Health & Family Services Policy Council, Health Care
Regulation Policy Committee, & others
Health Care
- CS/CS/CS/HB 311 - General Government Policy Council, Government
Operations Appropriations Committee, & others
Debt Settlement Services
- CS/CS/HB 325 - Finance & Tax Council, Roads, Bridges & Ports Policy
Committee, & others
Uniform Traffic Control
- HB 7017 - Insurance, Business & Financial Affairs Policy Committee,
Workman, & others
Pub. Rec./Credit History Information and Credit Scores/OFR
- HB 7019 - Insurance, Business & Financial Affairs Policy Committee,
Workman, & others
Trust Funds/Creation/Mortgage Guaranty Trust Fund/Office of
Financial Regulation
- CS/HB 357 - Insurance, Business & Financial Affairs Policy Committee,
McKeel
Registration of Farm Labor Contractors and Employees
- CS/HB 7109 - Economic Development & Community Affairs Policy
Council, Economic Development Policy Committee, & others
Tax Refund Program for Qualified Target Industry Businesses
- CS/CS/HB 1043 - Economic Development & Community Affairs Policy
Council, Roads, Bridges & Ports Policy Committee, & others
License Plates
- CS/CS/HB 7209 - General Government Policy Council, Full

Appropriations Council on Education & Economic Development, &
others
Reorganization of the Public Service Commission

- HB 7211 - Energy & Utilities Policy Committee, Precourt
Pub. Rec./Office of Regulatory Staff
- HB 903 - Ray, Horner, & others
Strategic Intermodal System Plan
- CS/HB 1551 - Economic Development Policy Committee, Carroll
Black Business Investment Board, Inc.
- HB 7217 - General Government Policy Council, Nelson
Florida Hurricane Catastrophe Fund Emergency Assessments
- CS/CS/CS/HB 963 - Economic Development & Community Affairs
Policy Council, Full Appropriations Council on Education &
Economic Development, & others
Seaports
- CS/CS/HB 965 - Finance & Tax Council, Military & Local Affairs
Policy Committee, & others
Real Property Assessment
- CS/HB 1035 - Insurance, Business & Financial Affairs Policy
Committee, Frishe
Elevator Safety
- HB 1293 - Coley
Public Assistance
- CS/CS/CS/HB 1143 - Health & Family Services Policy Council, Health
Care Appropriations Committee, & others
Reduction and Simplification of Health Care Provider Regulation

II. Consideration of the following bills:

- CS/CS/HB 1237 - Criminal & Civil Justice Policy Council, Civil Justice
& Courts Policy Committee, & others
Probate Procedures
- CS/HB 1517 - Criminal & Civil Justice Policy Council, Eisnagle, &
others
Criminal Trials
- CS/CS/HB 203 - Criminal & Civil Justice Policy Council, Criminal &
Civil Justice Appropriations Committee, & others
Community Corrections Assistance to Counties or County
Consortiums
- HB 525 - Dorworth, Fetterman, & others
Statutes of Limitation for Sexual Battery

III. Expedited Local Bill Calendar:

- CS/CS/HB 423 - Economic Development & Community Affairs Policy
Council, Military & Local Affairs Policy Committee, & others
Seminole County Port Authority, Seminole County
- HB 431 - Wood
Peace Creek Drainage District, Polk County
- CS/CS/HB 511 - Economic Development & Community Affairs Policy
Council, Military & Local Affairs Policy Committee, & others
Collier County
- CS/HB 859 - Government Operations Appropriations Committee,
Domino
West Palm Beach Police Pension Fund of the City of West Palm Beach,

Palm Beach County

HB 937 - Domino

City of West Palm Beach, Palm Beach County

CS/HB 955 - Military & Local Affairs Policy Committee, Chestnut
Marion County

CS/HB 957 - Military & Local Affairs Policy Committee, Chestnut
Marion County

HB 1045 - Brandenburg
Palm Beach County

HB 1047 - Frishe
City of Clearwater, Pinellas County

HB 1053 - Workman
Melbourne-Tillman Water Control District, Brevard County

HB 1055 - Tobia
Brevard County

HB 1215 - Porth
Broward County

HB 1249 - Williams, T.
Lee County Sheriff's Office

CS/HB 1403 - Military & Local Affairs Policy Committee, Holder
Sarasota Manatee Airport Authority

CS/HB 1425 - Military & Local Affairs Policy Committee, Porth, &
others
Broward County

CS/CS/HB 1483 - Finance & Tax Council, Military & Local Affairs
Policy Committee, & others
Spring Hill Fire Rescue and Emergency Medical Services District,
Hernando County

HB 1485 - Glorioso, Kriseman
Hillsborough County

CS/HB 1487 - Military & Local Affairs Policy Committee, Grimsley
Spring Lake Improvement District, Highlands County

CS/HB 1547 - Military & Local Affairs Policy Committee, Proctor, &
others
Lake Asbury Municipal Service Benefit District, Clay County

CS/HB 1621 - Military & Local Affairs Policy Committee, Porth
North Springs Improvement District, Broward County

CS/HB 1627 - Military & Local Affairs Policy Committee, Troutman
Hardee County Economic Development Authority, Hardee County

HB 1629 - Glorioso, Kriseman
Hillsborough County

HB 1631 - Weatherford
Lake Padgett Estates Independent Special District, Pasco County

HB 1635 - Coley
Panama City-Bay County Airport and Industrial District

IV. Consideration of the following Local Bills:

HB 759 - Domino
Northern Palm Beach County Improvement District, Palm Beach
County

CS/CS/CS/HB 831 - Economic Development & Community Affairs
Policy Council, Agriculture & Natural Resources Policy Committee,
& others
Nassau County

HB 1049 - Hays
City of Eustis, Lake County

HB 1051 - Hays
City of Tavares, Lake County

HB 1121 - Poppell
Town of Grant-Valkaria, Brevard County

CS/HB 1129 - Military & Local Affairs Policy Committee, Porth, &
others
City of Tamarac, Broward County

CS/HB 1209 - Military & Local Affairs Policy Committee, Porth
City of Fort Lauderdale, Broward County

CS/HB 1247 - Military & Local Affairs Policy Committee, Ambler
Hillsborough County

HB 1295 - Porth
City of Lauderhill, Broward County

CS/HB 1473 - Military & Local Affairs Policy Committee, Fitzgerald
Manatee County

HB 1519 - Holder
Sarasota County Tourist Development Council

HB 1625 - Workman
Brevard County

V. Consideration of the following bills:

HB 7237 - Education Policy Council, Weatherford
Postsecondary Education

CS/HB 467 - PreK-12 Policy Committee, Jones, & others
Public K-12 Education

CS/HB 615 - Public Safety & Domestic Security Policy Committee,
Brandenburg, & others
Substantial Assistance

CS/CS/HB 723 - Education Policy Council, State Universities & Private
Colleges Policy Committee, & others
Postsecondary Education

CS/HB 1085 - PreK-12 Policy Committee, Bullard
Career and Education Planning

CS/HB 449 - Criminal & Civil Justice Policy Council, Steinberg
Sanctions for Certain Court Pleadings

A quorum was present in person, and a majority of those present agreed to the
above Report.

Respectfully submitted,
Bill Galvano, Chair
Rules & Calendar Council

On motion by Rep. Galvano, the above report was adopted.

Expedited Local Bill Calendar Procedure

The Honorable Larry Cretul

April 20, 2010

Speaker, Florida House of Representatives

Dear Mr. Speaker,

The following report is submitted for the purpose of outlining a procedure for the Expedited Local Bill Calendar, Section III of the Special Order for Thursday, April 22, 2010. For purposes of these procedures, "Expedited Local Bill Calendar" refers to the section of the Special Order Calendar reserved for the expedited consideration of local bills.

1. The Speaker will take up each bill in the order it appears on the Expedited Local Bill Calendar. Bill numbers will not appear on the board, since House action moves too fast.
2. Removal of a specific bill from the Expedited Local Bill Calendar requires notice by five members received during consideration of the bill. The notice may be presented by a raising of hands during the reading of the bill, or in written form delivered to the Chair of the Rules & Calendar Council prior to the reading of the bill. Any bill removed from the Expedited Local Bill Calendar will be placed at the end of the next section of the Special Order Calendar for that day.
3. Without separate motions, each local bill will be read a second and third time by title, and the Speaker will announce, "Pass the bill on the motion of (bill sponsor)."
4. Floor amendments to a local bill must be timely filed in accordance with Rule 12.2. A local bill amendment form signed by the delegation chair explaining the necessity for the amendment must also be delivered to the Military and Local Affairs Policy Committee at the same time. Any bill with a properly filed amendment accompanied by a signed local bill amendment form will be removed from the Expedited Local Bill Calendar, and the bill and the amendment will be placed at the end of the next section of the Special Order Calendar.
5. Without objection, a single roll call vote will be taken at the conclusion of the reading of all of the local bills on the Expedited Local Bill Calendar.
 - Because a "no" vote would be cast for every bill on the local roll call, a Member wishing to vote against a specific bill or bills should do so by filing a "Nay Vote – Local Bills" form with the Clerk. The forms may be obtained at the Clerk's desk.
6. Adoption of this procedure constitutes consent on the part of the House to a blanket motion to waive the Rules and allow each bill to be read twice on the same day.

Adoption of this procedure requires a 2/3 vote.

A quorum was present in person, and a majority of those present agreed to the above Report.

Sincerely,
Bill Galvano, Chair
 Rules & Calendar Council

On motion by Rep. Galvano, the rules were waived and the above report was adopted by the required two-thirds vote.

Bills and Joint Resolutions on Third Reading

CS/CS/HB 447 was temporarily postponed.

CS/HB 7129—A bill to be entitled An act relating to military support; amending s. 163.3175, F.S.; providing applicability of provisions governing compatibility of land development with military installations under the Local Government Comprehensive Planning and Land Development Regulation Act to specified local governments and associated military installations; authorizing the Florida Council on Military Base and Mission Support to recommend changes to such military installations and local governments based on a base's potential for impacts from encroachment and incompatible land uses and development; requiring affected local governments to transmit to the commanding officer of a military installation information relating to certain proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations; requiring local governments to transmit, at the request of a commanding officer, copies of applications for development orders requesting specified variances or waivers within a zone of influence of a military installation; requiring a local government, military installation, the state land planning agency, and other parties to enter into mediation if a local government does not adopt criteria and address compatibility issues relating to lands adjacent to or closely proximate to existing military installations in its future land use plan element of a comprehensive plan by a specified date; authorizing notification of the Administration Commission if the local government comprehensive plan does not contain criteria addressing compatibility by a specified date; authorizing the imposition of sanctions by the Administration Commission; eliminating definitions; amending s. 163.3177, F.S.; specifying factors to be considered with respect to criteria used to achieve compatibility of lands adjacent to military installations in a future land use plan element of a comprehensive plan; amending s. 196.061, F.S.; providing that valid military orders transferring a military servicemember are sufficient to maintain permanent residence status of the servicemember and his or her spouse for purposes of such determination by a property appraiser; amending s. 455.02, F.S.; authorizing temporary professional licensure by the Department of Business and Professional Regulation of the spouses of certain active duty members of the Armed Forces; providing application requirements; requiring criminal history checks and fees; amending s. 250.10, F.S.; authorizing the Adjutant General to employ a second Assistant Adjutant General for Army; revising accreditation standards for educational institutions with respect to the Educational Dollars for Duty education assistance program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 870

Speaker Cretul in the Chair.

Yeas—109

Adams	Eisnaugle	Jenne	Proctor
Adkins	Evers	Jones	Rader
Anderson	Fetterman	Kiar	Randolph
Aubuchon	Fitzgerald	Kreegel	Ray
Bembry	Flores	Kriseman	Reagan
Bernard	Ford	Legg	Reed
Bogdanoff	Fresen	Llorente	Rehwinkel Vasilinda
Bovo	Frishe	Long	Rivera
Boyd	Gaetz	Lopez-Cantera	Robaina
Brandenburg	Galvano	Mayfield	Roberson, K.
Braynon	Garcia	McBurney	Roberson, Y.
Brisé	Gibbons	McKeel	Rogers
Bullard	Gibson	Murzin	Rouson
Burgin	Glorioso	Nehr	Sachs
Bush	Grady	Nelson	Sands
Cannon	Grimsley	O'Toole	Saunders
Carroll	Hasner	Pafford	Schenck
Chestnut	Hays	Patronis	Schultz
Clarke-Reed	Heller	Patterson	Schwartz
Cretul	Homan	Plakon	Skidmore
Crisafulli	Hooper	Planas	Snyder
Cruz	Horner	Poppell	Soto
Dorworth	Hudson	Porth	Stargel
Drake	Hukill	Precourt	Steinberg

Taylor	Van Zant	Williams, A.	Zapata
Thompson, N.	Waldman	Williams, T.	
Thurston	Weatherford	Wood	
Tobia	Weinstein	Workman	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Gonzalez, Kelly, Thompson, G., Troutman

So the bill passed, as amended, and was immediately certified to the Senate.

HB 521—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; repealing s. 5 of ch. 2008-225, Laws of Florida; abrogating the future repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., relating to the compact; amending s. 1000.36, F.S.; deleting provisions relating to the disclosure of information and records and the closure of meetings by the Interstate Commission on Educational Opportunity for Military Children; providing for future legislative review and repeal of the compact; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 871

Speaker Cretul in the Chair.

Yeas—110

Adams	Flores	Long	Rouson
Adkins	Ford	Lopez-Cantera	Sachs
Anderson	Fresen	Mayfield	Sands
Aubuchon	Frishe	McBurney	Saunders
Bembry	Gaetz	Murzin	Schenck
Bernard	Galvano	Nehr	Schultz
Bogdanoff	Garcia	Nelson	Schwartz
Bovo	Gibbons	O'Toole	Skidmore
Boyd	Gibson	Pafford	Snyder
Brandenburg	Glorioso	Patronis	Soto
Braynon	Grady	Patterson	Stargel
Brisé	Grimsley	Plakon	Steinberg
Bullard	Hasner	Planas	Taylor
Burgin	Hays	Poppell	Thompson, G.
Bush	Heller	Porth	Thompson, N.
Cannon	Holder	Precourt	Thurston
Carroll	Homan	Proctor	Tobia
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Cretul	Hudson	Ray	Weatherford
Crisafulli	Hukill	Reagan	Weinstein
Cruz	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel	Williams, T.
Drake	Kiar	Rivera	Wood
Eisnaugle	Kreegel	Robaina	Workman
Evers	Kriseman	Roberson, K.	Zapata
Fetterman	Legg	Roberson, Y.	
Fitzgerald	Llorente	Rogers	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Gonzalez, Kelly, McKeel, Troutman

So the bill passed and was immediately certified to the Senate.

CS/HB 1003—A bill to be entitled An act relating to veterans; amending s. 496.406, F.S.; exempting certain veterans' organizations from requirements to file registration statements with the Department of Agriculture and Consumer Services; amending s. 295.187, F.S.; revising the definition of the term "service-disabled veteran" for purposes of the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; amending s. 296.06, F.S.;

revising eligibility requirements for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; revising eligibility requirements for admittance into a licensed health care facility operated by the Department of Veterans' Affairs; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 872

Speaker Cretul in the Chair.

Yeas—111

Adams	Flores	Long	Rogers
Adkins	Ford	Lopez-Cantera	Rouson
Anderson	Fresen	Mayfield	Sachs
Aubuchon	Frishe	McBurney	Sands
Bembry	Gaetz	McKeel	Saunders
Bernard	Galvano	Murzin	Schenck
Bogdanoff	Garcia	Nehr	Schultz
Bovo	Gibbons	Nelson	Schwartz
Boyd	Gibson	O'Toole	Skidmore
Brandenburg	Glorioso	Pafford	Snyder
Braynon	Grady	Patronis	Soto
Brisé	Grimsley	Patterson	Stargel
Bullard	Hasner	Plakon	Steinberg
Burgin	Hays	Planas	Taylor
Bush	Heller	Poppell	Thompson, G.
Cannon	Holder	Porth	Thompson, N.
Carroll	Homan	Precourt	Thurston
Chestnut	Hooper	Proctor	Tobia
Clarke-Reed	Horner	Rader	Van Zant
Cretul	Hudson	Randolph	Waldman
Crisafulli	Hukill	Ray	Weatherford
Cruz	Jenne	Reagan	Weinstein
Dorworth	Jones	Reed	Williams, A.
Drake	Kiar	Rehwinkel	Williams, T.
Eisnaugle	Kreegel	Rivera	Wood
Evers	Kriseman	Robaina	Workman
Fetterman	Legg	Roberson, K.	Zapata
Fitzgerald	Llorente	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Gonzalez, Kelly, Troutman

So the bill passed and was immediately certified to the Senate.

CS/HB 1145—A bill to be entitled An act relating to state parks; creating s. 258.0145, F.S.; providing discounts on annual passes for members and veterans of the United States Armed Forces and reserve forces and for surviving spouses of certain veterans; amending s. 258.004, F.S.; providing additional duties of the Division of Recreation and Parks of the Department of Environmental Protection; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 873

Speaker Cretul in the Chair.

Yeas—105

Adams	Brisé	Cruz	Gaetz
Adkins	Bullard	Dorworth	Galvano
Anderson	Burgin	Drake	Garcia
Aubuchon	Bush	Eisnaugle	Gibbons
Bembry	Cannon	Evers	Gibson
Bernard	Carroll	Fitzgerald	Glorioso
Bovo	Chestnut	Flores	Grady
Boyd	Clarke-Reed	Ford	Grimsley
Brandenburg	Cretul	Fresen	Hasner
Braynon	Crisafulli	Frishe	Hays

Heller	McBurney	Reagan	Steinberg
Holder	McKeel	Reed	Thompson, G.
Homan	Murzin	Rehwinkel Vasilinda	Thompson, N.
Hooper	Nehr	Rivera	Thurston
Horner	Nelson	Robaina	Tobia
Hudson	O'Toole	Roberson, K.	Van Zant
Hukill	Pafford	Roberson, Y.	Waldman
Jenne	Patronis	Rogers	Weatherford
Jones	Patterson	Rouson	Weinstein
Kiar	Plakon	Sachs	Williams, A.
Kreegel	Planas	Saunders	Williams, T.
Kriseman	Poppell	Schenck	Wood
Legg	Porth	Schultz	Workman
Llorente	Precourt	Schwartz	Zapata
Long	Proctor	Snyder	
Lopez-Cantera	Randolph	Soto	
Mayfield	Ray	Stargel	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Fetterman, Gonzalez, Kelly, Skidmore, Taylor, Troutman

So the bill passed and was immediately certified to the Senate.

HB 1159—A bill to be entitled An act relating to veterans' guardianship; amending s. 744.604, F.S.; revising the definitions of "benefits" and "income" for purposes of pt. VIII of ch. 744, F.S., the Veterans' Guardianship Law; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 874

Speaker Cretul in the Chair.

Yeas—109

Adams	Ford	Mayfield	Sachs
Adkins	Fresen	McBurney	Sands
Anderson	Frishe	McKeel	Saunders
Aubuchon	Gaetz	Murzin	Schenck
Bembry	Galvano	Nehr	Schultz
Bernard	Garcia	Nelson	Schwartz
Bovo	Gibbons	O'Toole	Skidmore
Boyd	Gibson	Pafford	Snyder
Brandenburg	Glorioso	Patronis	Soto
Braynon	Grady	Patterson	Stargel
Brisé	Grimsley	Plakon	Steinberg
Bullard	Hasner	Planas	Taylor
Burgin	Heller	Poppell	Thompson, G.
Bush	Holder	Porth	Thompson, N.
Cannon	Homan	Precourt	Thurston
Carroll	Hooper	Proctor	Tobia
Chestnut	Horner	Rader	Van Zant
Clarke-Reed	Hudson	Randolph	Waldman
Cretul	Hukill	Ray	Weatherford
Crisafulli	Jenne	Reagan	Weinstein
Cruz	Jones	Reed	Williams, A.
Dorworth	Kiar	Rehwinkel Vasilinda	Williams, T.
Drake	Kreegel	Rivera	Wood
Eisnaugle	Kriseman	Robaina	Workman
Evers	Legg	Roberson, K.	Zapata
Fetterman	Llorente	Roberson, Y.	
Fitzgerald	Long	Rogers	
Flores	Lopez-Cantera	Rouson	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Gonzalez, Kelly, Troutman

So the bill passed and was immediately certified to the Senate.

CS/HB 1455—A bill to be entitled An act relating to misrepresentation of military status; amending s. 496.415, F.S.; prohibiting a person from falsely representing himself or herself as a member of or representing the United States Armed Forces or the National Guard for the purpose of solicitation of charitable contributions or participation in a charitable or sponsor sales promotion; creating s. 817.312, F.S.; prohibiting a person from wearing the uniform of or any medal or insignia authorized for use by members or veterans of the United States Armed Forces or the National Guard with the intent to misrepresent himself or herself as a member or veteran of the United States Armed Forces or the National Guard while soliciting for charitable contributions; providing criminal penalties; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 875

Speaker Cretul in the Chair.

Yeas—108

Adams	Flores	Llorente	Roberson, K.
Adkins	Ford	Long	Roberson, Y.
Anderson	Fresen	Lopez-Cantera	Rogers
Aubuchon	Frishe	Mayfield	Rouson
Bembry	Gaetz	McBurney	Sachs
Bernard	Galvano	McKeel	Sands
Bogdanoff	Garcia	Murzin	Saunders
Bovo	Gibbons	Nehr	Schenck
Boyd	Gibson	Nelson	Schwartz
Brandenburg	Glorioso	O'Toole	Skidmore
Braynon	Grady	Pafford	Snyder
Brisé	Grimsley	Patronis	Soto
Bullard	Hasner	Patterson	Stargel
Burgin	Hays	Plakon	Steinberg
Bush	Heller	Planas	Taylor
Cannon	Holder	Poppell	Thompson, G.
Carroll	Homan	Porth	Thompson, N.
Chestnut	Hooper	Precourt	Thurston
Clarke-Reed	Horner	Proctor	Tobia
Cretul	Hudson	Rader	Van Zant
Crisafulli	Hukill	Randolph	Waldman
Cruz	Jenne	Ray	Weatherford
Drake	Jones	Reagan	Weinstein
Eisnaugle	Kiar	Reed	Williams, A.
Evers	Kreegel	Rehwinkel Vasilinda	Williams, T.
Fetterman	Kriseman	Rivera	Wood
Fitzgerald	Legg	Robaina	Zapata

Nays—None

Votes after roll call:

Yeas—Abruzzo, Ambler, Coley, Domino, Gonzalez, Kelly, Troutman, Workman

So the bill passed and was immediately certified to the Senate.

CS for SB 2742—A bill to be entitled An act relating to a nonbinding statewide advisory referendum; requiring that a question regarding a balanced federal budget be printed on the ballot and submitted to the voters in the 2010 general election; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 876

Speaker Cretul in the Chair.

Yeas—79

Adams	Aubuchon	Bovo	Burgin
Adkins	Bembry	Boyd	Cannon
Anderson	Bogdanoff	Brandenburg	Carroll

Cretul	Grimsley	McBurney	Robaina
Crisafulli	Hasner	McKeel	Roberson, K.
Dorworth	Hays	Murzin	Schenck
Drake	Heller	Nehr	Schultz
Eisnaugle	Holder	Nelson	Snyder
Evers	Homan	O'Toole	Stargel
Fetterman	Hooper	Patronis	Thompson, N.
Flores	Horner	Patterson	Tobia
Ford	Hudson	Plakon	Van Zant
Fresen	Hukill	Planas	Waldman
Frishe	Kelly	Poppell	Weatherford
Gaetz	Kiar	Porth	Weinstein
Galvano	Kreegel	Precourt	Williams, T.
Garcia	Legg	Proctor	Wood
Gibbons	Llorente	Ray	Workman
Glorioso	Lopez-Cantera	Reagan	Zapata
Grady	Mayfield	Rivera	

Nays—33

Bernard	Gibson	Rehwinkel	Vasilinda	Soto
Braynon	Jenne	Roberson, Y.		Steinberg
Brisé	Jones	Rogers		Taylor
Bullard	Kriseman	Rouson		Thompson, G.
Bush	Long	Sachs		Thurston
Chestnut	Pafford	Sands		Williams, A.
Clarke-Reed	Rader	Saunders		
Cruz	Randolph	Schwartz		
Fitzgerald	Reed	Skidmore		

Votes after roll call:

Yeas—Ambler, Coley, Domino, Gonzalez, Troutman

Yeas to Nays—Troutman

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HJR 37—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

Be It Resolved by the Legislature of the State of Florida:

That the following creation of Section 28 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 28. Health care services.—

(a) To preserve the freedom of all residents of the state to provide for their own health care:

(1) A law or rule may not compel, directly or indirectly, any person, employer, or health care provider to participate in any health care system.

(2) A person or an employer may pay directly for lawful health care services and may not be required to pay penalties or fines for paying directly for lawful health care services. A health care provider may accept direct payment for lawful health care services and may not be required to pay penalties or fines for accepting direct payment from a person or an employer for lawful health care services.

(b) Subject to reasonable and necessary rules that do not substantially limit a person's options, the purchase or sale of health insurance in private health care systems may not be prohibited by law or rule.

(c) This section does not:

(1) Affect which health care services a health care provider is required to perform or provide.

(2) Affect which health care services are permitted by law.

(3) Prohibit care provided pursuant to general law relating to workers' compensation.

(4) Affect laws or rules in effect as of March 1, 2010.

(5) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful

health care services, except that this section may not be construed to prohibit any negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.

(6) Affect any general law passed by a two-thirds vote of the membership of each house of the legislature after the effective date of this section, if the law states with specificity the public necessity that justifies an exception from this section.

(d) As used in this section, the term:

(1) "Compel" includes the imposition of penalties or fines.

(2) "Direct payment" or "pay directly" means payment for lawful health care services without a public or private third party, not including an employer, paying for any portion of the service.

(3) "Health care system" means any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for, or payment, in full or in part, for health care services, health care data, or health care information for its participants.

(4) "Lawful health care services" means any health-related service or treatment, to the extent that the service or treatment is permitted or not prohibited by law or regulation, which may be provided by persons or businesses otherwise permitted to offer such services.

(5) "Penalties or fines" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge, or named fee with a similar effect established by law or rule by an agency established, created, or controlled by the government which is used to punish or discourage the exercise of rights protected under this section. For purposes of this section only, the term "rule by an agency" may not be construed to mean any negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.

BE IT FURTHER RESOLVED that the following title and statement be placed on the ballot:

HEALTH CARE FREEDOM CONSTITUTIONAL AMENDMENT ARTICLE I, SECTION 28

HEALTH CARE SERVICES.—Proposing an amendment to the State Constitution to ensure access to health care services without waiting lists, protect the doctor-patient relationship, guard against mandates that don't work, prohibit laws or rules from compelling any person, employer, or health care provider to participate in any health care system; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and fines for paying directly or accepting direct payment for lawful health care services; and permit the purchase or sale of health insurance in private health care systems. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

—was read the third time by title.

Representative Fetterman offered the following:

(Amendment Bar Code: 213599)

Amendment 1 (with ballot amendment)—Between lines 81 and 82, insert:

(e) This section applies only to a person who has filed a declaration with the Department of Health that the person will not accept or request public, taxpayer-funded health insurance or health services, excluding emergency services, during any period when the person is uninsured.

BALLOT AMENDMENT

Remove line 119 and insert:
coinsurance, deductibles, or other patient charges. Provides that the amendment applies only to a person who has filed a declaration with the Department of Health declaring that the person will not accept or request public, taxpayer-funded health insurance or health services while uninsured, excluding emergency services, during any period when the person is uninsured.

Rep. Fetterman moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 877].

The question recurred on the passage of CS/CS/HJR 37. On passage, the vote was:

Session Vote Sequence: 878

Speaker Cretul in the Chair.

Yeas—74

Adams	Flores	Kreegel	Reagan
Adkins	Ford	Legg	Rivera
Ambler	Fresen	Llorente	Robaina
Anderson	Frishe	Lopez-Cantera	Roberson, K.
Aubuchon	Gaetz	Mayfield	Schenck
Bembry	Galvano	McBurney	Snyder
Bogdanoff	Glorioso	McKeel	Stargel
Bovo	Gonzalez	Murzin	Thompson, N.
Boyd	Grady	Nehr	Tobia
Burgin	Grimsley	Nelson	Troutman
Cannon	Hasner	O'Toole	Van Zant
Carroll	Hays	Patronis	Weatherford
Cretul	Holder	Patterson	Weinstein
Crisafulli	Homan	Plakon	Williams, T.
Domino	Hooper	Planas	Wood
Dorworth	Horner	Poppell	Workman
Drake	Hudson	Precourt	Zapata
Eisnaugle	Hukill	Proctor	
Evers	Kelly	Ray	

Nays—42

Bernard	Garcia	Rader	Schwartz
Brandenburg	Gibbons	Randolph	Skidmore
Braynon	Gibson	Reed	Soto
Brisé	Heller	Rehwinkel Vasilinda	Steinberg
Bullard	Jenne	Roberson, Y.	Taylor
Bush	Jones	Rogers	Thompson, G.
Chestnut	Kiar	Rouson	Thurston
Clarke-Reed	Kriseman	Sachs	Waldman
Cruz	Long	Sands	Williams, A.
Fetterman	Pafford	Saunders	
Fitzgerald	Porth	Schultz	

Votes after roll call:

Yeas—Coley

Nays—Abruzzo

So the joint resolution passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

HJR 15—A joint resolution proposing an amendment to Section 12 of Article IV of the State Constitution to redesignate the Department of Elderly Affairs as the Department of Elder Affairs.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 12 of Article IV of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV

EXECUTIVE

SECTION 12. Department of ~~Elder~~ Elderly Affairs.—The legislature may create a Department of ~~Elder~~ Elderly Affairs and prescribe its duties. The provisions governing the administration of the department must comply with Section 6 of Article IV of the State Constitution.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IV, SECTION 12

DEPARTMENT OF ELDER AFFAIRS.—Proposing an amendment to the State Constitution to redesignate the Department of Elderly Affairs as the Department of Elder Affairs.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 879

Speaker Cretul in the Chair.

Yeas—109

Adams	Flores	Llorente	Rouson
Adkins	Ford	Long	Sands
Ambler	Fresen	Lopez-Cantera	Saunders
Anderson	Frishe	Mayfield	Schenck
Aubuchon	Gaetz	McBurney	Schultz
Bembry	Galvano	McKeel	Schwartz
Bogdanoff	Garcia	Murzin	Skidmore
Boyd	Gibbons	Nehr	Snyder
Brandenburg	Gibson	Nelson	Soto
Braynon	Glorioso	O'Toole	Stargel
Brisé	Grady	Pafford	Steinberg
Bullard	Grimsley	Patronis	Taylor
Burgin	Hasner	Patterson	Thompson, G.
Bush	Hays	Plakon	Thompson, N.
Cannon	Heller	Poppell	Thurston
Carroll	Holder	Porth	Tobia
Chestnut	Homan	Precourt	Troutman
Clarke-Reed	Hooper	Proctor	Van Zant
Cretul	Horner	Rader	Waldman
Crisafulli	Hudson	Randolph	Weatherford
Cruz	Hukill	Reagan	Weinstein
Domino	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel Vasilinda	Williams, T.
Drake	Kelly	Rivera	Workman
Eisnaugle	Kiar	Robaina	Zapata
Evers	Kreegel	Roberson, K.	
Fetterman	Kriseman	Roberson, Y.	
Fitzgerald	Legg	Rogers	

Nays—1

Wood

Votes after roll call:

Yeas—Abruzzo, Bernard, Coley, Gonzalez, Planas, Ray, Sachs

So the joint resolution passed by the required constitutional three-fifths vote of the membership and was immediately certified to the Senate.

CS/CS/HB 1389—A bill to be entitled An act relating to space and aerospace infrastructure; providing a short title; amending s. 288.1088, F.S.; providing legislative findings; authorizing the use of a specified amount of resources for projects to retain or create high-technology jobs directly associated with developing a more diverse aerospace economy in the state; authorizing Enterprise Florida, Inc., to waive eligibility criteria for projects receiving funds from the Quick Action Closing Fund which would mitigate the impact of the conclusion of the space shuttle program; revising authorized uses of specified Space Florida appropriations; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 880

Speaker Cretul in the Chair.

Yeas—115

Adams	Fitzgerald	Legg	Rogers
Adkins	Flores	Llorente	Rouson
Amblor	Ford	Long	Sachs
Anderson	Fresen	Lopez-Cantera	Sands
Aubuchon	Frishe	Mayfield	Saunders
Bembry	Gaetz	McBurney	Schenck
Bernard	Galvano	McKeel	Schultz
Bogdanoff	Garcia	Murzin	Schwartz
Bovo	Gibbons	Nehr	Skidmore
Boyd	Gibson	Nelson	Snyder
Brandenburg	Glorioso	Pafford	Soto
Braynon	Gonzalez	Patronis	Stargel
Brisé	Grady	Patterson	Steinberg
Bullard	Grimsley	Plakon	Taylor
Burgin	Hasner	Planas	Thompson, G.
Bush	Hays	Poppell	Thompson, N.
Cannon	Heller	Porth	Thurston
Carroll	Holder	Precourt	Tobia
Chestnut	Homan	Proctor	Troutman
Clarke-Reed	Hooper	Rader	Van Zant
Cretul	Homer	Randolph	Waldman
Crisafulli	Hudson	Ray	Weatherford
Cruz	Hukill	Reagan	Weinstein
Domino	Jenne	Reed	Williams, A.
Dorworth	Jones	Rehwinkel	Williams, T.
Drake	Kelly	Rivera	Wood
Eisnaugle	Kiar	Robaina	Workman
Evers	Kreegel	Roberson, K.	Zapata
Fetterman	Kriseman	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Coley, O'Toole

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 713—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; assigning certain programs to regulation by the department's Division of Professions; amending ss. 215.37 and 455.017, F.S.; specifying that the department is responsible for the regulation of certain professions; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue reproductions of driver's licenses to the Department Business and Professional Regulation pursuant to an interagency agreement for a specified purpose; amending s. 455.02, F.S.; authorizing the temporary professional licensure of the spouses of active duty members of the United States Armed Forces under certain circumstances; providing application requirements; requiring criminal history checks and fees; creating s. 455.2122, F.S.; authorizing distance learning courses to satisfy certain licensing education requirements for community association managers and real estate brokers and sales associates; prohibiting requirements for centralized examinations to

complete such education requirements; amending s. 455.2123, F.S.; authorizing distance learning courses to satisfy certain continuing education requirements for community association managers, home inspectors, mold assessors and remediators, and real estate brokers, sales associates, and appraisers; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.213, F.S.; requiring a licensee to surrender his or her license under certain circumstances; amending s. 455.217, F.S.; revising the departmental unit responsible for administration of certain examinations; limiting an applicant's review of failed examination questions; amending s. 455.2175, F.S.; prohibiting an examinee whose examination materials are confiscated from taking another examination under certain circumstances; repealing s. 455.2226, F.S., relating to continuing education courses on HIV and AIDS required for licensees and certificateholders under the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 455.227, F.S.; revising grounds for the discipline of professional licensees; providing penalties; amending s. 455.228, F.S.; revising terminology for cease and desist notices; amending s. 455.275, F.S.; providing for the service of administrative complaints on certain licensees and publication of certain notices; amending s. 468.83, F.S.; creating the home inspection services licensing program within the department; amending s. 468.8311, F.S.; revising the definition of the term "home inspection services" for purposes of provisions regulating home inspectors; amending s. 468.8312, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8313, F.S.; requiring home inspector license applicants to satisfy certain examination requirements before application for licensure; requiring criminal history checks and fees; amending s. 468.8318, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering home inspection services; amending s. 468.8319, F.S.; prohibiting certain acts relating to home inspection services; delaying implementation of certain prohibited acts; providing penalties; providing an exemption for certain certified contractors; authorizing the department to require certain disclosures on contracts for home repairs performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.832, F.S.; providing an additional ground for discipline of licensed home inspectors; amending s. 468.8324, F.S.; extending the time for licensure of home inspectors under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of home inspection reports submitted for licensure under the grandfather provisions; providing penalties for the submission of false reports; creating s. 468.8325, F.S.; requiring the department to adopt rules; amending s. 468.84, F.S.; creating the mold-related services licensing program within the department; amending s. 468.8412, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8413, F.S.; requiring mold assessor and mold remediation license applicants to satisfy certain examination requirements before application for licensure; revising the educational requirements for licensure as a mold assessor or mold remediation; requiring criminal history checks and fees; amending s. 468.8414, F.S.; specifying that certain insurance coverage is required for licensure by endorsement; amending s. 468.8418, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering mold-related services; amending s. 468.8419, F.S.; prohibiting certain acts relating to mold assessment and remediation; delaying implementation of certain prohibited acts; providing penalties; providing exemptions for certain certified contractors; authorizing the department to require certain disclosures on contracts for mold-related services performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.842, F.S.; providing an additional ground for discipline of licensed mold assessors and mold remediators; amending s. 468.8421, F.S.; revising insurance coverage requirements for mold assessors; amending s. 468.8423, F.S.; extending the time for licensure of mold assessors and mold remediators under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of mold assessments and remediation invoices submitted for licensure under the grandfather provisions; providing penalties for the submission of false assessments or invoices; creating s. 468.8424, F.S.; requiring the department

to adopt rules; amending s. 474.203, F.S.; revising certain exemptions from regulation of veterinary medical practice; amending s. 475.02, F.S.; authorizing certain members of the Florida Real Estate Commission to offer, conduct, and teach courses prescribed or approved by the commission or the department; amending s. 475.175, F.S.; revising the application and fingerprint requirements for real estate broker and sales associate licenses; deleting a requirement that license applicants provide fingerprints in an electronic format; amending s. 475.613, F.S.; revising qualifications of members of the Florida Real Estate Appraisal Board; authorizing certain board members to offer, conduct, and teach courses prescribed or approved by the board or the department; amending s. 477.019, F.S.; deleting time limits for cosmetology license applicants to take the licensure examination; conforming a cross-reference; amending s. 509.211, F.S.; assigning responsibility for the regulation of carbon monoxide hazards in certain public lodging establishments to the Division of State Fire Marshal of the Department of Financial Services; creating s. 548.076, F.S.; authorizing the Department of Business and Professional Regulation to issue and enforce notices to cease and desist from violations of provisions regulating pugilistic exhibitions; providing penalties; amending s. 561.17, F.S.; revising application requirements for alcoholic beverage licenses; reenacting ss. 468.436(2)(a), 468.832(1)(a), 468.842(1)(a), 471.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and 481.325(1)(a), F.S., relating to disciplinary proceedings for community association managers, home inspectors, mold assessors, mold remediators, engineers, certified public accountants, real estate brokers and sales associates, real estate appraisers, barbers, cosmetologists, architects, and landscape architects, to incorporate the amendment made to s. 455.227, F.S., in references thereto; reenacting s. 468.8314(2), F.S., relating to the licensure of home inspectors, to incorporate the amendment made to s. 468.832, F.S., in a reference thereto; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 881

Speaker Cretul in the Chair.

Yeas—114

Adams	Fitzgerald	Llorente	Rouson
Adkins	Flores	Long	Sachs
Ambler	Ford	Lopez-Cantera	Sands
Anderson	Fresen	Mayfield	Saunders
Aubuchon	Frishe	McBurney	Schenck
Bembry	Gaetz	McKeel	Schultz
Bernard	Galvano	Murzin	Schwartz
Bogdanoff	Garcia	Nelson	Skidmore
Bovo	Gibbons	O'Toole	Snyder
Boyd	Gibson	Pafford	Soto
Brandenburg	Glorioso	Patronis	Stargel
Braynon	Gonzalez	Patterson	Steinberg
Brisé	Grady	Plakon	Taylor
Bullard	Grimsley	Planas	Thompson, G.
Burgin	Hasner	Poppell	Thompson, N.
Bush	Hays	Porth	Thurston
Cannon	Heller	Precourt	Tobia
Carroll	Homan	Proctor	Troutman
Chestnut	Hooper	Rader	Van Zant
Clarke-Reed	Horner	Randolph	Waldman
Cretul	Hudson	Ray	Weatherford
Crisafulli	Hukill	Reagan	Weinstein
Cruz	Jenne	Reed	Williams, A.
Domino	Jones	Rehwinkel	Williams, T.
Dorworth	Kelly	Rivera	Wood
Drake	Kiar	Robaina	Workman
Eisnaugle	Kreegel	Roberson, K.	Zapata
Evers	Kriseman	Roberson, Y.	
Fetterman	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Coley, Nehr

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 869—A bill to be entitled An act relating to campaign financing; providing a short title; amending s. 106.143, F.S.; providing an alternative statement that may be used to identify a candidate as the sponsor of a political advertisement under certain circumstances; providing circumstances under which certain campaign messages and political advertisements are not required to state or display specific information regarding the identity of the candidate, his or her party affiliation, and the office sought in the message or advertisement; authorizing a candidate or political committee to place a statement on a social networking website or account indicating that the site or account is an official site or account approved by the candidate or political committee; prohibiting an official designation without the prior approval by the candidate or political committee; amending s. 106.011, F.S.; revising the definition of the term "political committee" to remove certain reporting requirements included in the exclusion of electioneering communications organizations from the definition; revising the definition of the term "filing officer" to expand applicability to electioneering communications organizations; revising the definition of the term "electioneering communication" to conform to certain federal requirements and to delineate what constitutes such a communication; revising the definition of the term "electioneering communications organization"; amending s. 106.03, F.S.; revising the registration requirements for electioneering communications organizations; revising the statement of organization requirements; revising rule adoption requirements relating to dissolution of political committees and electioneering communications organizations; amending s. 106.0703, F.S.; consolidating reporting requirements in ch. 106, F.S., applicable to electioneering communications organizations; providing penalties; conforming provisions; prohibiting the use of credit cards by electioneering communications organizations; amending s. 106.0705, F.S., relating to electronic filing of campaign treasurer's reports; conforming provisions; amending s. 106.071, F.S.; increasing the aggregate amount of expenditures required for filing certain reports related to independent expenditures or electioneering communications; amending s. 106.08, F.S.; removing certain limitations on contributions received by an electioneering communications organization; amending s. 106.1439, F.S.; providing identification requirements for certain electioneering communications; providing an exception for telephone calls; amending s. 106.147, F.S., relating to telephone solicitation disclosure requirements; removing requirements relating to electioneering communication, to conform; reenacting ss. 106.011(1)(b), (3), (4), (18), and (19), 106.022(1), 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b), 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17, F.S., relating to definitions, registered office and agent requirements, registration requirements, prohibited activities for committees of continuous existence, additional reporting requirements, electronic filing requirements, expenditure reports, penalties for violations pertaining to limitations on contributions, miscellaneous advertisements, electioneering communications disclaimers and penalties for failure to include disclaimers, and polls and surveys pertaining to candidacies, to cure and conform; providing an effective date.

—was read the third time by title.

Representative McKeel offered the following:

(Amendment Bar Code: 627425)

Amendment 2—Remove lines 592-599 and insert:

10. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

11. The primary purposes of an expenditure made indirectly

Rep. McKeel moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Fitzgerald offered the following:

(Amendment Bar Code: 881627)

Amendment 3—Remove lines 772-788 and insert:

Section 10. Subsection (5) of section 106.08, Florida Statutes, is amended, and subsection (7) of that section is reenacted, to read:

106.08 Contributions; limitations on.—

Rep. Fitzgerald moved the adoption of the amendment. Subsequently, **Amendment 3** was withdrawn.

The question recurred on the passage of CS/CS/HB 869. The vote was:

Session Vote Sequence: 882

Speaker Cretul in the Chair.

Yeas—114

Adams	Flores	Llorente	Rogers
Adkins	Ford	Long	Rouson
Ambler	Fresen	Lopez-Cantera	Sachs
Anderson	Frishe	Mayfield	Sands
Aubuchon	Gaetz	McBurney	Saunders
Bembry	Galvano	McKeel	Schenck
Bogdanoff	Garcia	Murzin	Schultz
Bovo	Gibbons	Nehr	Schwartz
Boyd	Gibson	Nelson	Skidmore
Brandenburg	Glorioso	O'Toole	Snyder
Braynon	Gonzalez	Pafford	Stargel
Brisé	Grady	Patronis	Steinberg
Bullard	Grimsley	Patterson	Taylor
Burgin	Hasner	Plakon	Thompson, G.
Bush	Hays	Planas	Thompson, N.
Cannon	Heller	Poppell	Thurston
Carroll	Holder	Porth	Tobia
Chestnut	Homan	Precourt	Troutman
Clarke-Reed	Hooper	Proctor	Van Zant
Cretul	Horner	Rader	Waldman
Crisafulli	Hudson	Randolph	Weatherford
Cruz	Hukill	Ray	Weinstein
Domino	Jenne	Reagan	Williams, A.
Dorworth	Jones	Reed	Williams, T.
Drake	Kelly	Rehwinkel Vasilinda	Wood
Eisnaugle	Kiar	Rivera	Workman
Evers	Kreegel	Robaina	Zapata
Fetterman	Kriseman	Roberson, K.	
Fitzgerald	Legg	Roberson, Y.	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Bernard, Coley, Soto

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

HB 1195 was temporarily postponed.

CS/HB 7213—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership's purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership and the fund from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from

certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners who invest in the partnership; specifying that the certificates are redeemable for tax credits under certain conditions; authorizing the trust to charge fees; limiting the amount of tax credits issued and the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the redemption or sale of certificates; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; amending s. 213.053, F.S.; authorizing the department to provide tax credit information to the partnership and the trust; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 883

Speaker Cretul in the Chair.

Yeas—113

Adams	Flores	Long	Rouson
Adkins	Ford	Lopez-Cantera	Sachs
Ambler	Fresen	Mayfield	Sands
Anderson	Frishe	McBurney	Saunders
Aubuchon	Gaetz	McKeel	Schenck
Bembry	Galvano	Murzin	Schultz
Bogdanoff	Garcia	Nehr	Schwartz
Bovo	Gibbons	Nelson	Skidmore
Boyd	Gibson	O'Toole	Snyder
Brandenburg	Glorioso	Pafford	Stargel
Braynon	Gonzalez	Patronis	Steinberg
Brisé	Grady	Patterson	Taylor
Bullard	Grimsley	Plakon	Thompson, G.
Burgin	Hasner	Planas	Thompson, N.
Bush	Hays	Poppell	Thurston
Cannon	Heller	Porth	Tobia
Carroll	Holder	Precourt	Troutman
Chestnut	Homan	Proctor	Van Zant
Clarke-Reed	Hooper	Rader	Waldman
Cretul	Horner	Randolph	Weatherford
Crisafulli	Hudson	Ray	Weinstein
Cruz	Hukill	Reagan	Williams, A.
Domino	Jones	Reed	Williams, T.
Dorworth	Kelly	Rehwinkel Vasilinda	Wood
Drake	Kiar	Rivera	Workman
Eisnaugle	Kreegel	Robaina	Zapata
Evers	Kriseman	Roberson, K.	
Fetterman	Legg	Roberson, Y.	
Fitzgerald	Llorente	Rogers	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Bernard, Coley, Jenne, Soto

Yeas to Nays—Grady

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 31—A bill to be entitled An act relating to public education; creating s. 1003.4505, F.S.; prohibiting district school boards, administrative personnel, and instructional personnel from taking affirmative action that infringes or waives the rights or freedoms afforded by the First Amendment to the United States Constitution in the absence of certain consent; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 884

Speaker Cretul in the Chair.

Yeas—107

Adams	Flores	Legg	Rouson
Adkins	Ford	Llorente	Sachs
Ambler	Fresen	Long	Sands
Anderson	Frishe	Lopez-Cantera	Saunders
Aubuchon	Gaetz	Mayfield	Schenck
Bembry	Galvano	McBurney	Schultz
Bogdanoff	Garcia	McKeel	Schwartz
Bovo	Gibbons	Murzin	Snyder
Boyd	Gibson	Nehr	Soto
Brandenburg	Glorioso	Nelson	Stargel
Braynon	Gonzalez	O'Toole	Steinberg
Brisé	Grady	Patronis	Taylor
Burgin	Grimsley	Patterson	Thompson, G.
Bush	Hasner	Plakon	Thompson, N.
Cannon	Hays	Planas	Thurston
Carroll	Heller	Poppell	Tobia
Chestnut	Holder	Porth	Troutman
Cretul	Homan	Precourt	Van Zant
Crisafulli	Hooper	Proctor	Waldman
Cruz	Horner	Rader	Weatherford
Domino	Hudson	Randolph	Weinstein
Dorworth	Hukill	Ray	Williams, A.
Drake	Jenne	Reagan	Williams, T.
Eisnaugle	Jones	Rivera	Wood
Evers	Kelly	Robaina	Workman
Fetterman	Kiar	Roberson, K.	Zapata
Fitzgerald	Kreegel	Roberson, Y.	

Nays—8

Bullard	Kriseman	Reed	Rogers
Clarke-Reed	Pafford	Rehwinkel Vasilinda	Skidmore

Votes after roll call:

Yeas—Abruzzo, Bernard, Coley

Yeas to Nays—Sachs, Williams, A.

So the bill passed and was immediately certified to the Senate.

HB 1195—A bill to be entitled An act relating to road and bridge designations; designating the Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge in Pinellas County; designating Verna Bell Way in Nassau County; directing the Department of Transportation to erect markers; providing an effective date.

—was taken up, having been temporarily postponed earlier today, and read the third time by title. On passage, the vote was:

Session Vote Sequence: 885

Speaker Cretul in the Chair.

Yeas—109

Adams	Cretul	Gibbons	Kiar
Adkins	Crisafulli	Gibson	Kreegel
Ambler	Cruz	Glorioso	Kriseman
Anderson	Domino	Gonzalez	Legg
Aubuchon	Dorworth	Grimsley	Llorente
Bembry	Drake	Hasner	Long
Bogdanoff	Eisnaugle	Hays	Lopez-Cantera
Bovo	Evers	Heller	Mayfield
Boyd	Fetterman	Holder	McBurney
Brandenburg	Fitzgerald	Homan	McKeel
Brisé	Flores	Hooper	Murzin
Bullard	Ford	Horner	Nehr
Burgin	Fresen	Hudson	Nelson
Bush	Frishe	Hukill	O'Toole
Cannon	Gaetz	Jenne	Pafford
Carroll	Galvano	Jones	Patronis
Chestnut	Garcia	Kelly	Patterson

Plakon	Rehwinkel Vasilinda	Skidmore	Van Zant
Planas	Rivera	Snyder	Waldman
Poppell	Robaina	Soto	Weatherford
Porth	Roberson, K.	Stargel	Weinstein
Precourt	Roberson, Y.	Steinberg	Williams, A.
Proctor	Rogers	Taylor	Williams, T.
Rader	Sands	Thompson, G.	Wood
Randolph	Saunders	Thompson, N.	Zapata
Ray	Schenck	Thurston	
Reagan	Schultz	Tobia	
Reed	Schwartz	Troutman	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Bernard, Braynon, Clarke-Reed, Coley, Grady, Sachs, Workman

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 633—A bill to be entitled An act relating to human trafficking; creating s. 480.0535, F.S.; specifying documents that must be possessed by each person providing or offering to provide massage services in certain circumstances; requiring presentation of such documents upon request of a law enforcement officer; requiring operators of massage establishments to maintain valid work authorization documents on the premises for each employee who is not a United States citizen; requiring presentation of such documents upon request of a law enforcement officer; prohibiting a person from providing or offering to provide massage services without possession of a license and specified documentation; prohibiting the use of a massage establishment license for the purpose of lewdness, assignation, or prostitution; providing criminal penalties; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 886

Speaker Cretul in the Chair.

Yeas—114

Adams	Flores	Long	Rouson
Adkins	Ford	Lopez-Cantera	Sachs
Ambler	Frishe	Mayfield	Sands
Anderson	Gaetz	McBurney	Saunders
Aubuchon	Galvano	McKeel	Schenck
Bembry	Garcia	Murzin	Schultz
Bernard	Gibbons	Nehr	Schwartz
Bogdanoff	Gibson	Nelson	Skidmore
Bovo	Glorioso	O'Toole	Snyder
Boyd	Gonzalez	Pafford	Soto
Brandenburg	Grady	Patronis	Stargel
Braynon	Grimsley	Patterson	Steinberg
Brisé	Hasner	Plakon	Taylor
Bullard	Hays	Planas	Thompson, G.
Burgin	Heller	Poppell	Thompson, N.
Bush	Holder	Porth	Thurston
Cannon	Homan	Precourt	Tobia
Carroll	Hooper	Proctor	Troutman
Chestnut	Horner	Rader	Van Zant
Clarke-Reed	Hudson	Randolph	Waldman
Cretul	Hukill	Ray	Weatherford
Crisafulli	Jenne	Reagan	Weinstein
Cruz	Jones	Reed	Williams, A.
Domino	Kelly	Rehwinkel Vasilinda	Williams, T.
Drake	Kiar	Rivera	Wood
Eisnaugle	Kreegel	Robaina	Workman
Evers	Kriseman	Roberson, K.	
Fetterman	Legg	Roberson, Y.	
Fitzgerald	Llorente	Rogers	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Coley, Fresen

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1411—A bill to be entitled An act relating to foreclosures; amending s. 721.07, F.S.; providing lien disclosure requirements for filed public offering statements for certain timeshare plans; amending s. 721.13, F.S.; requiring officers, directors, and agents of a timeshare owners' association to act in good faith; providing for damages; providing exceptions; amending s. 721.16, F.S.; authorizing a managing entity to bring a judicial action or a trustee procedure to foreclose certain liens under specified conditions; revising when a lien is effective; renaming part III of chapter 721, F.S., to conform to changes made by this act; amending s. 721.81, F.S.; revising and providing legislative purposes of the part; amending s. 721.82 F.S.; revising and providing definitions; amending s. 721.83, F.S., relating to consolidation of foreclosure actions; clarifying application to judicial foreclosure actions; amending s. 721.85, F.S., relating to service to notice address or on registered agent; conforming provisions to changes made by this act; creating s. 721.855, F.S.; establishing procedure for the trustee foreclosure of assessment liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing application; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; amending s. 721.86, F.S.; providing for priority of application in case of conflict; conforming terminology to changes made by this act; amending s. 721.20, F.S.; revising exemptions from certain licensing requirements; providing an effective date.

—was read the third time by title.

Rep. Dorworth moved that a late-filed amendment be allowed for consideration.

On motion by Rep. Lopez-Cantera, consideration of **CS/CS/HB 1411**, with pending motion to allow a late-filed amendment for introduction, was temporarily postponed.

CS/HB 7205—A bill to be entitled An act relating to professional sports franchises; amending ss. 14.2015, 212.20, and 218.64, F.S., relating to the Office of Tourism, Trade, and Economic Development, the distribution of certain tax proceeds, and the allocation of a portion of the local government half-cent sales tax; conforming provisions to changes made by the act;

conforming cross-references; amending s. 288.1162, F.S.; deleting provisions relating to the certification and funding of facilities for spring training baseball franchises; authorizing the Auditor General to conduct audits to verify whether certain funds for professional sports franchises are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; creating s. 288.11621, F.S.; authorizing certain units of local government to apply for certification to receive state funding for a facility for a spring training franchise; providing definitions; providing eligibility requirements; providing criteria to competitively evaluate applications for certification; requiring a certified applicant to use the funds awarded for specified public purposes and place unexpended funds in a trust fund or separate account; authorizing a certified applicant to request a suspension of the distribution of funds for a specified period under certain circumstances; requiring the expenditure of funds by certain certified applicants within a specified period; requiring the completion of certain spring training facility projects within a specified period; requiring certified applicants to submit annual reports to the Office of Tourism, Trade, and Economic Development; requiring the office to decertify applicants under certain circumstances; providing for delay in decertification proceedings for local governments certified before a specified date under certain circumstances; providing for review of the office's notice of intent to decertify an applicant; requiring an applicant to repay unencumbered state funds and interest after decertification; specifying circumstances under which a certified applicant that is a local government may not be decertified under certain circumstances; requiring the office to develop a strategic plan relating to baseball spring training activities; requiring the office to adopt rules; authorizing the Auditor General to conduct audits to verify whether certified funds for baseball spring training facilities are used as required by law; requiring the Auditor General to notify the Department of Revenue if the funds are not used as required by law; amending s. 288.1229, F.S.; providing that the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist in the retention of professional sports franchises; recognizing the validity of specified agreements under certain circumstances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 887

Speaker Cretul in the Chair.

Yeas—116

Adams	Fitzgerald	Legg	Roberson, Y.
Adkins	Flores	Llorente	Rogers
Ambler	Ford	Long	Rouson
Anderson	Fresen	Lopez-Cantera	Sachs
Aubuchon	Frishe	Mayfield	Sands
Bembry	Gaetz	McBurney	Saunders
Bernard	Galvano	McKeel	Schenck
Bogdanoff	Garcia	Murzin	Schultz
Bovo	Gibbons	Nehr	Schwartz
Boyd	Gibson	Nelson	Skidmore
Brandenburg	Glorioso	O'Toole	Snyder
Braynon	Gonzalez	Pafford	Soto
Brisé	Grady	Patronis	Stargel
Bullard	Grimsley	Patterson	Steinberg
Burgin	Hasner	Plakon	Taylor
Bush	Hays	Planas	Thompson, G.
Cannon	Heller	Poppell	Thompson, N.
Carroll	Holder	Porth	Thurston
Chestnut	Homan	Precourt	Tobia
Clarke-Reed	Hooper	Proctor	Troutman
Cretul	Horner	Rader	Van Zant
Crisafulli	Hudson	Randolph	Waldman
Cruz	Hukill	Ray	Weatherford
Domino	Jenne	Reagan	Weinstein
Dorworth	Jones	Reed	Williams, A.
Drake	Kelly	Rehwinkel	Williams, T.
Eisnaugle	Kiar	Rivera	Wood
Evers	Kreegel	Robaina	Workman
Fetterman	Kriseman	Roberson, K.	Zapata

Nays—None

Votes after roll call:

Yeas—Abruzzo, Coley

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1411—A bill to be entitled An act relating to foreclosures; amending s. 721.07, F.S.; providing lien disclosure requirements for filed public offering statements for certain timeshare plans; amending s. 721.13, F.S.; requiring officers, directors, and agents of a timeshare owners' association to act in good faith; providing for damages; providing exceptions; amending s. 721.16, F.S.; authorizing a managing entity to bring a judicial action or a trustee procedure to foreclose certain liens under specified conditions; revising when a lien is effective; renaming part III of chapter 721, F.S., to conform to changes made by this act; amending s. 721.81, F.S.; revising and providing legislative purposes of the part; amending s. 721.82 F.S.; revising and providing definitions; amending s. 721.83, F.S., relating to consolidation of foreclosure actions; clarifying application to judicial foreclosure actions; amending s. 721.85, F.S., relating to service to notice address or on registered agent; conforming provisions to changes made by this act; creating s. 721.855, F.S.; establishing procedure for the trustee foreclosure of assessment liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing application; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; creating s. 721.856, F.S.; establishing procedure for the trustee foreclosure of mortgage liens; providing for the appointment of a trustee; providing recording requirements for such liens; providing procedures for the initiation of a trustee foreclosure procedure against a timeshare interest; providing procedures for an obligor's objection to the trustee foreclosure procedure; providing conditions to a trustee's exercise of power of sale; providing requirements for a notice of default and intent to sell; providing requirements for a notice of sale; providing requirements for the sale by auction of foreclosed encumbered timeshare interests; providing requirements for a trustee's certificate of compliance; providing for the effect of a trustee's sale; providing requirements for a trustee's deed; providing for the disposition of proceeds of the sale; providing that the trustee foreclosure procedure does not impair or otherwise affect the right to bring certain actions; providing for actions for failure to follow the trustee foreclosure procedure; providing a criminal penalty; amending s. 721.86, F.S.; providing for priority of application in case of conflict; conforming terminology to changes made by this act; amending s. 721.20, F.S.; revising exemptions from certain licensing requirements; providing an effective date.

—was taken up, having been read the third time and temporarily postponed earlier today; now pending on motion by Rep. Dorworth to allow the introduction of a late-filed amendment.

On motion by Rep. Dorworth, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Dorworth offered the following:

(Amendment Bar Code: 949039)

Amendment 3—Remove lines 743-744 and insert:
trustee's deed. The trustee's deed shall contain no

Remove lines 1214-1215 and insert:

trustee's deed. The trustee's deed shall contain no

Rep. Dorworth moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/CS/HB 1411. The vote was:

Session Vote Sequence: 888

Speaker Cretul in the Chair.

Yeas—111

Adams	Flores	Legg	Roberson, Y.
Adkins	Ford	Llorente	Rogers
Ambler	Fresen	Long	Rouson
Anderson	Frishe	Lopez-Cantera	Sachs
Aubuchon	Gaetz	Mayfield	Sands
Bembry	Galvano	McBurney	Saunders
Bogdanoff	Garcia	McKeel	Schenck
Bovo	Gibbons	Murzin	Schultz
Boyd	Gibson	Nehr	Skidmore
Brandenburg	Glorioso	Nelson	Snyder
Braynon	Gonzalez	O'Toole	Soto
Brise	Grady	Pafford	Stargel
Burgin	Grimsley	Patronis	Steinberg
Bush	Hasner	Patterson	Taylor
Cannon	Hays	Plakon	Thompson, G.
Carroll	Heller	Planas	Thompson, N.
Chestnut	Holder	Poppell	Thurston
Clarke-Reed	Homan	Porth	Troutman
Cretul	Hooper	Precourt	Van Zant
Crisafulli	Horner	Proctor	Waldman
Cruz	Hudson	Rader	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Williams, T.
Eisnaugle	Kelly	Rehwinkel	Wood
Evers	Kiar	Rivera	Workman
Fetterman	Kreegel	Robaina	Zapata
Fitzgerald	Kriseman	Roberson, K.	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Bernard, Coley, Tobia

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/CS/CS/HB 621 was temporarily postponed.

CS/HB 821—A bill to be entitled An act relating to international commercial arbitration; amending s. 48.196, F.S.; conforming a reference to changes made by the act; creating s. 684.0001, F.S.; providing a short title; creating s. 684.0002, F.S.; defining the scope of application of the Florida International Commercial Arbitration Act; creating s. 684.0003, F.S.; defining terms; providing rules of interpretation for the act; creating s. 684.0004, F.S.; providing intent that the act be applied and interpreted with respect to its purpose; creating s. 684.0005, F.S.; specifying when a written communication is received; creating s. 684.0006, F.S.; specifying circumstances that constitute a waiver of the right to object; creating s. 684.0007, F.S.; limiting the ability of a court to intervene in an arbitral proceeding; creating s. 684.0008, F.S.; designating the circuit court in which an arbitration is or will be held as the court that may take certain actions authorized by the act; creating s. 684.0009, F.S.; requiring a court to refer matters governed by an arbitration agreement to arbitration; creating s. 684.001, F.S.; authorizing a court to grant an interim measure of protection before or during an arbitral proceeding; creating s. 684.0011, F.S.; authorizing the parties to an arbitration to determine the number of arbitrators; specifying the number of arbitrators for a proceeding if the number of arbitrators is not determined by the parties; creating s. 684.0012,

F.S.; specifying procedures for the appointment of an arbitrator; creating s. 684.0013, F.S.; requiring a person who is approached to be an arbitrator to make disclosures relating to conflicts of interest; authorizing the appointment of an arbitrator to be challenged based on a perceived conflict of interest or qualifications; creating s. 684.0014, F.S.; providing procedures to challenge the appointment of an arbitrator; creating s. 684.0015, F.S.; providing for the termination of the mandate of an arbitrator due to failure or impossibility to act; creating s. 684.0016, F.S.; providing a procedure for the appointment of a substitute arbitrator; creating s. 684.0017, F.S.; authorizing an arbitral tribunal to determine its jurisdiction; authorizing a court to determine the jurisdiction of an arbitral tribunal; creating s. 684.0018, F.S.; authorizing an arbitral tribunal to grant an interim measure; creating s. 684.0019, F.S.; specifying conditions under which an interim measure may be granted; creating s. 684.002, F.S.; specifying conditions under which an interim order may be granted to prevent a party from frustrating the purpose of an interim measure; creating s. 684.0021, F.S.; requiring a party to be notified of information relating to an interim measure or preliminary order; requiring that a party be given an opportunity to object to a preliminary order; creating s. 684.0022, F.S.; authorizing an arbitral tribunal to modify, suspend, or terminate an interim measure or preliminary order under certain circumstances; creating s. 684.0023, F.S.; authorizing an arbitral tribunal to require security as a condition of granting an interim measure; requiring security as a condition of granting a preliminary order; creating s. 684.0024, F.S.; requiring certain disclosures as a condition of granting or maintaining an interim measure or preliminary order; creating s. 684.0025, F.S.; providing for liability and an award of costs and damages; creating s. 684.0026, F.S.; providing for the recognition and enforcement of an interim measure by a court; authorizing the court to require security under certain circumstances; creating s. 684.0027, F.S.; specifying grounds under which a court may refuse to enforce an interim measure; creating s. 684.0028, F.S.; authorizing a court to grant an interim measure; creating s. 684.0029, F.S.; requiring parties to an arbitral proceeding to be treated with equality and given an opportunity to present their cases; creating s. 684.003, F.S.; authorizing parties to an arbitration to agree to arbitration procedures; providing default procedures; creating s. 684.0031, F.S.; authorizing parties to an arbitration to agree on the place of arbitration; providing criteria to determine a default location for the arbitration; creating s. 684.0032, F.S.; specifying the date of commencement of an arbitral proceeding; creating s. 684.0033, F.S.; authorizing parties to an arbitration to agree on the language to be used in the proceeding; authorizing the arbitral tribunal to determine the language in the absence of a decision by the parties; creating s. 684.0034, F.S.; providing for the submission of claims and defenses to an arbitral tribunal; creating s. 684.0035, F.S.; providing for the determination of the method by which evidence will be presented before an arbitral proceeding; creating s. 684.0036, F.S.; specifying actions that constitute a default by a party to an arbitral proceeding; creating s. 684.0037, F.S.; authorizing an arbitral tribunal to appoint an expert and for the parties to question and present other experts to the tribunal's expert, unless otherwise agreed by the parties; creating s. 684.0038, F.S.; authorizing a party or an arbitral tribunal to request the assistance of a court in taking evidence; creating s. 684.0039, F.S.; providing for the choice of law applicable in an arbitral proceeding; creating s. 684.004, F.S.; specifying the number of arbitrators who must make a decision, unless specified otherwise by the parties; creating s. 684.0041, F.S.; authorizing the parties to an arbitral proceeding to enter into a settlement that is recorded as an award by the arbitral tribunal; creating s. 684.0042, F.S.; specifying the form and content of an arbitral award; creating s. 684.0043, F.S.; specifying events that terminate or require an arbitral tribunal to terminate an arbitral proceeding; creating s. 684.0044, F.S.; authorizing an arbitral tribunal to correct and interpret an arbitral award or make an additional award under certain conditions; creating s. 684.0045, F.S.; providing judicial immunity to arbitrators acting under ch. 684, F.S.; creating s. 684.0046, F.S.; specifying conditions under which a court may set aside an arbitral award; creating s. 684.0047, F.S.; providing for the recognition and enforcement of arbitral awards by a court; creating s. 684.0048, F.S.; specifying grounds under which a court may refuse to recognize or enforce an arbitral award; repealing parts I, II, and III of ch. 684, F.S., which create the Florida International Arbitration Act and provide procedures for the conduct of international

arbitrations and authorize court proceedings in connection with such arbitrations; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 889

Speaker Cretul in the Chair.

Yeas—113

Adams	Fitzgerald	Legg	Rouson
Adkins	Flores	Llorente	Sachs
Ambler	Ford	Lopez-Canera	Sands
Anderson	Fresen	Mayfield	Saunders
Aubuchon	Frishe	McBurney	Schenck
Bembry	Gaetz	McKeel	Schultz
Bernard	Galvano	Murzin	Schwartz
Bogdanoff	Garcia	Nehr	Skidmore
Bovo	Gibbons	Nelson	Snyder
Boyd	Gibson	O'Toole	Soto
Brandenburg	Glorioso	Pafford	Stargel
Braynon	Gonzalez	Patronis	Steinberg
Brisé	Grady	Patterson	Taylor
Bullard	Grimsley	Plakon	Thompson, G.
Burgin	Hasner	Planas	Thompson, N.
Bush	Hays	Poppell	Thurston
Cannon	Heller	Porth	Tobia
Carroll	Holder	Precourt	Troutman
Chestnut	Homan	Proctor	Waldman
Clarke-Reed	Hooper	Rader	Weatherford
Cretul	Horner	Ray	Weinstein
Crisafulli	Hudson	Reagan	Williams, A.
Cruz	Hukill	Reed	Williams, T.
Domino	Jenne	Rehwinkel	Wood
Dorworth	Jones	Rivera	Workman
Drake	Kelly	Robaina	Zapata
Eisnaugle	Kiar	Roberson, K.	
Evers	Kreegel	Roberson, Y.	
Fetterman	Kriseman	Rogers	

Nays—1

Van Zant

Votes after roll call:

Yeas—Abruzzo, Coley, Long

So the bill passed and was immediately certified to the Senate.

HB 1301—A bill to be entitled An act relating to violations of county ordinances; amending s. 125.69, F.S.; authorizing a county to specify by ordinance penalties for a violation of certain county ordinances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 890

Speaker Cretul in the Chair.

Yeas—111

Adams	Burgin	Fetterman	Grimsley
Adkins	Bush	Fitzgerald	Hasner
Ambler	Cannon	Flores	Hays
Anderson	Carroll	Ford	Heller
Aubuchon	Chestnut	Fresen	Homan
Bembry	Clarke-Reed	Frishe	Hooper
Bernard	Cretul	Gaetz	Horner
Bogdanoff	Crisafulli	Galvano	Hudson
Bovo	Cruz	Garcia	Hukill
Boyd	Domino	Gibbons	Jenne
Brandenburg	Dorworth	Gibson	Jones
Braynon	Drake	Glorioso	Kelly
Brisé	Eisnaugle	Gonzalez	Kiar
Bullard	Evers	Grady	Kreegel

Kriseman	Plakon	Rogers	Thompson, G.
Legg	Planas	Rouson	Thompson, N.
Llorente	Poppell	Sachs	Thurston
Lopez-Cantera	Porth	Sands	Troutman
Mayfield	Precourt	Saunders	Van Zant
McBurney	Proctor	Schenck	Waldman
McKeel	Rader	Schultz	Weatherford
Murzin	Ray	Schwartz	Weinstein
Nehr	Reagan	Skidmore	Williams, A.
Nelson	Reed	Snyder	Williams, T.
O'Toole	Rehwinkel Vasilinda	Soto	Wood
Pafford	Robaina	Stargel	Workman
Patronis	Roberson, K.	Steinberg	Zapata
Patterson	Roberson, Y.	Taylor	

Nays—1

Holder

Votes after roll call:

Yeas—Abruzzo, Coley, Tobia

So the bill passed and was immediately certified to the Senate.

On motion by Rep. Carroll, consideration of **CS/HB 523** was temporarily postponed.

CS/HB 317—A bill to be entitled An act relating to threats; amending s. 836.10, F.S.; revising provisions relating to the sending of or procuring the sending of letters or inscribed communications containing certain threats of death or bodily injury; including electronic communications in provisions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 891

Speaker Cretul in the Chair.

Yeas—111

Adams	Fitzgerald	Llorente	Rouson
Adkins	Flores	Long	Sachs
Ambler	Ford	Lopez-Cantera	Sands
Anderson	Fresen	Mayfield	Saunders
Aubuchon	Frishe	McBurney	Schenck
Bembry	Galvano	McKeel	Schultz
Bernard	Garcia	Murzin	Schwartz
Bogdanoff	Gibbons	Nehr	Skidmore
Bovo	Gibson	Nelson	Snyder
Boyd	Glorioso	O'Toole	Soto
Brandenburg	Gonzalez	Pafford	Stargel
Braynon	Grady	Patronis	Steinberg
Brisé	Grimsley	Patterson	Taylor
Bullard	Hasner	Plakon	Thompson, G.
Burgin	Hays	Planas	Thompson, N.
Bush	Heller	Poppell	Thurston
Carroll	Holder	Porth	Tobia
Chestnut	Homan	Precourt	Troutman
Clarke-Reed	Hooper	Proctor	Van Zant
Cretul	Hudson	Rader	Waldman
Crisafulli	Hukill	Ray	Weatherford
Cruz	Jenne	Reagan	Weinstein
Domino	Jones	Reed	Williams, A.
Dorworth	Kelly	Rehwinkel Vasilinda	Williams, T.
Drake	Kiar	Rivera	Wood
Eisnaugle	Kreegel	Robaina	Workman
Evers	Kriseman	Roberson, K.	Zapata
Fetterman	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Abruzzo, Cannon, Coley, Gaetz, Horner

So the bill passed and was immediately certified to the Senate.

Special Orders

CS/HB 731—A bill to be entitled An act relating to the Uniform Commercial Code; revising and providing provisions of the Uniform Commercial Code relating to electronic documents of title, warehouse receipts, bills of lading, and other documents of title to conform to the revised Article 7 of the Uniform Commercial Code as prepared by the National Conference of Commissioners on Uniform State Laws; amending ss. 668.50 and 671.304, F.S.; correcting cross-references; amending ss. 671.201, 672.103, 672.104, 674.104, 677.102, and 679.1021, F.S.; revising and providing definitions; revising provisions pertaining to definitions applicable to certain provisions of the code, to conform cross-references to revisions made by this act; amending s. 672.310, F.S.; revising time when certain delivery payments are due; amending ss. 559.9232, 672.323, 672.401, 672.503, 672.505, 672.506, 672.509, 672.605, 672.705, 674.2101, 677.201, 677.202, 677.203, 677.205, 677.206, 677.207, 677.208, 677.301, 677.302, 677.304, 677.305, 677.401, 677.402, 677.403, 677.404, 677.502, 677.503, 677.505, 677.506, 677.507, 677.508, 677.509, 677.602, 677.603, 679.2031, 679.2071, 679.3011, 679.3101, 679.3121, 679.3131, 679.3141, 679.3171, 679.338, 680.1031, 680.514, and 680.526, F.S.; revising provisions to conform to changes made by this act; making editorial changes; amending s. 677.103, F.S.; revising and providing application in relation of chapter to treaty, statute, classification, or regulation; amending s. 677.104, F.S.; providing when certain documents of title are nonnegotiable; amending s. 677.105, F.S.; authorizing an issuer of the electronic document to issue a tangible document of title as a substitute for the electronic document under certain conditions; authorizing an issuer of a tangible document to issue an electronic document of title as a substitute for the tangible document under certain conditions; creating s. 677.106, F.S.; providing when certain persons have control of an electronic document of title; amending s. 677.204, F.S.; revising liability of certain damages; authorizing a warehouse receipt or storage agreement to provide certain requirements; amending s. 677.209, F.S.; revising conditions for a warehouse to establish a lien against a bailor; providing when and against whom the lien is effective; amending s. 677.210, F.S.; revising provisions relating to the enforcement of warehouse's liens; amending s. 677.303, F.S.; prohibiting liability for certain carriers; amending s. 677.307, F.S.; revising conditions under which a carrier has a lien on goods covered by a bill of lading; amending s. 677.308, F.S.; revising provisions relating to the enforcement of a carrier's lien; amending s. 677.309, F.S.; revising provisions relating to the contractual limitation of a carrier's liability; amending s. 677.501, F.S.; providing requirements for negotiable tangible documents of title and negotiable electronic documents of title; amending s. 677.504, F.S.; providing condition under which the rights of the transferee may be defeated; amending s. 677.601, F.S.; revising provisions relating to lost, stolen, or destroyed documents of title; amending s. 678.1031, F.S.; providing that certain documents of title are not financial assets; amending s. 679.2081, F.S.; providing requirements for secured parties having control of an electronic document; providing an effective date.

—was read the second time by title.

On motion by Rep. Carroll, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Carroll offered the following:

(Amendment Bar Code: 795267)

Amendment 1 (with title amendment)—Between lines 66 and 67, insert:

Section 1. Subsection (7) of section 627.7295, Florida Statutes, is amended to read:

627.7295 Motor vehicle insurance contracts.—

(7) A policy of private passenger motor vehicle insurance or a binder for such a policy may be initially issued in this state only if the insurer or agent has collected from the insured an amount equal to 2 months' premium. An insurer, agent, or premium finance company may not directly or indirectly take any

action resulting in the insured having paid from the insured's own funds an amount less than the 2 months' premium required by this subsection. This subsection applies without regard to whether the premium is financed by a premium finance company or is paid pursuant to a periodic payment plan of an insurer or an insurance agent. This subsection does not apply if an insured or member of the insured's family is renewing or replacing a policy or a binder for such policy written by the same insurer or a member of the same insurer group. This subsection does not apply to an insurer that issues private passenger motor vehicle coverage primarily to active duty or former military personnel or their dependents. This subsection does not apply if all policy payments are paid pursuant to a payroll deduction plan or an automatic electronic funds transfer payment plan from the policyholder, provided that the first policy payment is made by cash, cashier's check, check, or a money order. This subsection and subsection (4) do not apply if all policy payments to an insurer are paid pursuant to an automatic electronic funds transfer payment plan from an agent or a managing general agent, or a premium finance company, and if the policy includes, at a minimum, personal injury protection pursuant to ss. 627.730-627.7405; motor vehicle property damage liability pursuant to s. 627.7275; and bodily injury liability in at least the amount of \$10,000 because of bodily injury to, or death of, one person in any one accident and in the amount of \$20,000 because of bodily injury to, or death of, two or more persons in any one accident. This subsection and subsection (4) do not apply if an insured has had a policy in effect for at least 6 months, the insured's agent is terminated by the insurer that issued the policy, and the insured obtains coverage on the policy's renewal date with a new company through the terminated agent.

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to commercial transactions; amending s. 627.7295, F.S.; revising application of certain provisions relating to motor vehicle insurance contracts; revising

Rep. Carroll moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

On motion by Rep. Schenck, consideration of **CS/HB 7095** was temporarily postponed.

CS/HB 393—A bill to be entitled An act relating to public records; creating s. 341.3026, F.S.; providing an exemption from public records requirements for personal identifying information held by a public transit provider for the purpose of facilitating the prepayment of transit fares or the acquisition of a prepaid transit fare card or similar device; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1363—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.25, F.S.; clarifying an exemption from fee requirements provided for a student who is or was at the time he or she reached 18 years of age in the custody of a relative under the Relative Caregiver Program or who was adopted from the Department of Children and Family Services after a specified date; providing that certain exemptions include fees associated with enrollment in career-preparatory instruction; deleting an exemption associated with completion of the college-level communication and computation skills testing program; providing that the exemptions remain valid for a specified time; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 631—A bill to be entitled An act relating to motor vehicles; amending ss. 261.03 and 317.0003, F.S.; redefining the term "ROV" for purposes of provisions relating to off-highway vehicles to include vehicles of increased width and weight; amending s. 316.1951, F.S.; removing a requirement that the Department of Highway Safety and Motor Vehicles adopt a uniform written notice to be used to enforce provisions that prohibit parking a motor vehicle on certain property for the purpose of displaying the motor vehicle as being for sale, hire, or rental; removing a requirement that each law enforcement agency provide its own notice for such enforcement; authorizing a local government to adopt an ordinance to enforce such provisions; authorizing a code enforcement officer from any local government agency to enforce such provisions; providing for immediate removal of a motor vehicle in violation of specified provisions; providing for assessment of a fine in addition to towing and storage fees; requiring a release form prescribed by the department to be completed before release of the motor vehicle; amending s. 318.14, F.S.; providing a lifetime limitation on the number of times a person may elect to attend a driver improvement course in lieu of appearing in court for certain traffic infractions; amending s. 318.18, F.S.; specifying a fine for a vehicle that is displayed for sale, hire, or rental in violation of such provisions; providing for disposition of fines collected; amending s. 319.225, F.S.; prohibiting the department from requiring the signature of the transferor to be notarized on certain motor vehicle title transfer forms relating to mileage of the vehicle; requiring the forms to include an affidavit declaring facts in the document to be true; amending s. 319.23, F.S.; providing that, under certain circumstances, a motor vehicle dealer is not required to apply for a certificate of title for a motor vehicle sold to a general purchaser who resides outside the state; amending s. 320.02, F.S.; directing the department to place the name of the owner of a motor vehicle on the list of persons who may not be issued a license plate or revalidation sticker if that person is on a list submitted to the department by a licensed dealer; amending s. 320.27, F.S.; clarifying an exemption from certain dealer preclearing requirements; removing a requirement for evaluation of privatized applicant training methods; authorizing dealer records to be kept in either paper or electronic form; providing procedures for transfer of documents to electronic form; authorizing the department to deny, suspend, or revoke a dealer's license for certain actions relating to payments made to the department; authorizing a dealer training school to cancel the training certificate issued to a student for certain actions relating to payments made to the school; amending s. 322.0261, F.S.; providing that the department shall not require a person to attend a driver improvement course for specified traffic violations when adjudication has been withheld by the court; providing an effective date.

—was read the second time by title.

On motion by Rep. Burgin, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Burgin offered the following:

(Amendment Bar Code: 904513)

Amendment 1 (with title amendment)—Remove lines 135-565 and insert:

charges to the towing and storage facility pursuant to s. 713.78 before payment of the fine or before the release form has been completed which has been parked in one location for more than 24 hours after a written notice has been issued. Every written notice issued pursuant to this section shall be affixed in a conspicuous place upon a vehicle by a law enforcement officer, compliance officer, or supervisor of the department. Any vehicle found in violation of subsection (1) within 30 days after a previous violation and written notice is subject to immediate removal without an additional waiting period.

(5)(6) It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in s. 319.33(1)(d). A vehicle found in violation of this subsection is subject to immediate removal without warning.

~~(6)(7)~~ It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to s. 320.261. A vehicle found in violation of this subsection is subject to immediate removal without warning.

~~(7)(8)~~ It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in s. 320.02. A vehicle found in violation of this subsection is subject to immediate removal without warning. This subsection does not apply to vehicles and recreational vehicles being offered for sale through motor vehicle auctions as defined in s. 320.27(1)(c)4.

~~(8)(9)~~ A vehicle is subject to immediate removal without warning if it bears a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period.

~~(9)(10)~~ Any other provision of law to the contrary notwithstanding, a violation of subsection (1), subsection (5), subsection (6), subsection (7), or subsection (8) shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle and a fine as required by s. 318.18.

~~(10)(11)~~ This section does not prohibit the governing body of a municipality or county, with respect to streets, highways, or other property under its jurisdiction, from regulating the parking of motor vehicles for any purpose.

~~(11)(12)~~ A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318, unless otherwise mandated by general law.

Section 4. Subsection (9) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial driver's license and who is cited for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld and points, as provided by s. 322.27, may not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may make no more than five elections within his or her lifetime ~~10 years~~ under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 18 percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

Section 5. Subsection (21) is added to section 318.18, Florida Statutes, to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(21) One hundred dollars for a violation of s. 316.1951 for a vehicle that is unlawfully displayed for sale, hire, or rental. Notwithstanding any other law to the contrary, fines collected under this subsection shall be retained by the governing authority that authorized towing of the vehicle. Fines collected by the department shall be deposited into the Highway Safety Operating Trust Fund.

Section 6. Paragraphs (a) and (b) of subsection (6) of section 319.225, Florida Statutes, are amended to read:

319.225 Transfer and reassignment forms; odometer disclosure statements.—

(6)(a) If the certificate of title is physically held by a lienholder, the transferor may give a power of attorney to his or her transferee for the purpose of odometer disclosure. The power of attorney must be on a form issued or authorized by the department, which form must be in compliance with 49 C.F.R. ss. 580.4 and 580.13. The department shall not require the signature of the transferor to be notarized on the form; however, in lieu of

notarization, the form shall include an affidavit with the following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. The transferee shall sign the power of attorney form, print his or her name, and return a copy of the power of attorney form to the transferor. Upon receipt of a title certificate, the transferee shall complete the space for mileage disclosure on the title certificate exactly as the mileage was disclosed by the transferor on the power of attorney form. If the transferee is a licensed motor vehicle dealer who is transferring the vehicle to a retail purchaser, the dealer shall make application on behalf of the retail purchaser as provided in s. 319.23(6) and shall submit the original power of attorney form to the department with the application for title and the transferor's title certificate; otherwise, a dealer may reassign the title certificate by using the dealer reassignment form in the manner prescribed in subsection (3), and, at the time of physical transfer of the vehicle, the original power of attorney shall be delivered to the person designated as the transferee of the dealer on the dealer reassignment form. A copy of the executed power of attorney shall be submitted to the department with a copy of the executed dealer reassignment form within 5 business days after the certificate of title and dealer reassignment form are delivered by the dealer to its transferee.

(b) If the certificate of title is lost or otherwise unavailable, the transferor may give a power of attorney to his or her transferee for the purpose of odometer disclosure. The power of attorney must be on a form issued or authorized by the department, which form must be in compliance with 49 C.F.R. ss. 580.4 and 580.13. The department shall not require the signature of the transferor to be notarized on the form; however, in lieu of notarization, the form shall include an affidavit with the following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. The transferee shall sign the power of attorney form, print his or her name, and return a copy of the power of attorney form to the transferor. Upon receipt of the title certificate or a duplicate title certificate, the transferee shall complete the space for mileage disclosure on the title certificate exactly as the mileage was disclosed by the transferor on the power of attorney form. If the transferee is a licensed motor vehicle dealer who is transferring the vehicle to a retail purchaser, the dealer shall make application on behalf of the retail purchaser as provided in s. 319.23(6) and shall submit the original power of attorney form to the department with the application for title and the transferor's title certificate or duplicate title certificate; otherwise, a dealer may reassign the title certificate by using the dealer reassignment form in the manner prescribed in subsection (3), and, at the time of physical transfer of the vehicle, the original power of attorney shall be delivered to the person designated as the transferee of the dealer on the dealer reassignment form. A copy of the executed power of attorney shall be submitted to the department with a copy of the executed dealer reassignment form within 5 business days after the duplicate certificate of title and dealer reassignment form are delivered by the dealer to its transferee.

Section 7. Subsection (6) of section 319.23, Florida Statutes, is amended to read:

319.23 Application for, and issuance of, certificate of title.—

(6)(a) In the case of the sale of a motor vehicle or mobile home by a licensed dealer to a general purchaser, the certificate of title must be obtained in the name of the purchaser by the dealer upon application signed by the purchaser, and in each other case such certificate must be obtained by the purchaser. In each case of transfer of a motor vehicle or mobile home, the application for a certificate of title, a ~~or~~ corrected certificate, or an assignment or reassignment, must be filed within 30 days after ~~from~~ the delivery of the motor vehicle or mobile home to the purchaser. An applicant must pay a fee of \$20, in addition to all other fees and penalties required by law, for failing to file such application within the specified time. In the case of the sale of a motor vehicle by a licensed motor vehicle dealer to a general purchaser who resides in another state or country, the dealer is not required to apply for a certificate of title for the motor vehicle; however, the dealer must transfer ownership and reassign the certificate of title or manufacturer's certificate of origin to the purchaser, and the purchaser must sign an affidavit, as approved by the department, that the purchaser will title and register the motor vehicle in another state or country.

(b) If a licensed dealer acquires a motor vehicle or mobile home as a trade-in, the dealer must file with the department, within 30 days, a notice of sale signed by the seller. The department shall update its database for that title record to indicate "sold." A licensed dealer need not apply for a certificate of title for any motor vehicle or mobile home in stock acquired for stock purposes except as provided in s. 319.225.

Section 8. Section 319.241, Florida Statutes, is amended to read:

319.241 Removal of lien from records.—The owner of a motor vehicle or mobile home upon which a lien has been filed with the department or noted upon a certificate of title for a period of 5 years may apply to the department in writing for such lien to be removed from the department files or from the certificate of title. The application shall be accompanied by evidence satisfactory to the department that the applicant has notified the lienholder by certified mail, not less than 20 days prior to the date of the application, of his or her intention to apply to the department for removal of the lien. Ten days after receipt of the application, the department may remove the lien from its files or from the certificate of title, as the case may be, if no statement in writing protesting removal of the lien is received by the department from the lienholder within the 10-day period. If, however, the lienholder files with the department within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien until the lienholder presents a satisfaction of lien to the department. Ten days after the receipt of an application for a derelict motor vehicle certificate and notification to the lienholder, the department may remove the lien from the derelict motor vehicle record if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period.

Section 9. Subsections (1) and (2), paragraph (b) of subsection (3), paragraph (a) of subsection (7), and subsection (8) of section 319.30, Florida Statutes, are amended to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

(1) As used in this section, the term:

(a) "Certificate of destruction" means the certificate issued pursuant to s. 713.78(11) or s. 713.785(7)(a).

(b) "Certificate of registration number" means the certificate of registration number issued by the Department of Revenue of the State of Florida pursuant to s. 538.25.

(c) "Certificate of title" means a record that serves as evidence of ownership of a vehicle, whether such record is a paper certificate authorized by the department or by a motor vehicle department authorized to issue titles in another state or a certificate consisting of information stored in electronic form in the department's database.

(d) "Derelict" means any material which is or may have been a motor vehicle or mobile home, which is not a major part or major component part, which is inoperable, and which is in such condition that its highest or primary value is in its sale or transfer as scrap metal.

(e) "Derelict motor vehicle" means:

1. Any motor vehicle as defined in s. 320.01(1) or mobile home as defined in s. 320.01(2), with or without all parts, major parts, or major component parts, which is valued under \$1,000, is at least 10 model years old, beginning with the model year of the vehicle as year one, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for dismantling its component parts or conversion to scrap metal; or

2. Any trailer as defined in s. 320.01(1), with or without all parts, major parts, or major component parts, which is valued under \$5,000, is at least 10 model years old, beginning with the model year of the vehicle as year one, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for conversion to scrap metal.

(f) "Derelict motor vehicle certificate" means a certificate issued by the department which serves as evidence that a derelict motor vehicle will be dismantled or converted to scrap metal. This certificate may be obtained by completing a derelict motor vehicle certificate application authorized by the department completed by the derelict motor vehicle owner, the owner's authorized transporter when different from the owner, and the licensed salvage motor vehicle dealer or the registered secondary metals recycler and

submitted to the department for cancellation of the title record of the derelict motor vehicle. A derelict motor vehicle certificate may be reassigned only one time if the derelict motor vehicle certificate was completed by a licensed salvage motor vehicle dealer and the derelict motor vehicle was sold to another licensed salvage motor vehicle dealer or a secondary metals recycler.

(g) "Junk" means any material which is or may have been a motor vehicle or mobile home, with or without all component parts, which is inoperable and which material is in such condition that its highest or primary value is either in its sale or transfer as scrap metal or for its component parts, or a combination of the two, except when sold or delivered to or when purchased, possessed, or received by a secondary metals recycler or salvage motor vehicle dealer.

(h) "Major component parts" means:

1. For motor vehicles other than motorcycles, any fender the front end assembly (fenders, hood, grill, and bumper), cowl assembly, rear body section (both quarter panel panels, trunk lid, door, decklid, and bumper), floor pan, door assemblies, engine, frame, transmission, catalytic converter, or and airbag.

2. For trucks, in addition to those parts listed in subparagraph 1., any truck bed, including dump, wrecker, crane, mixer, cargo box, or any bed which mounts to a truck frame.

3. For motorcycles, the body assembly, frame, fenders, gas tanks, engine, cylinder block, heads, engine case, crank case, transmission, drive train, front fork assembly, and wheels.

4. For mobile homes, the frame.

(i) "Major part" means the front-end assembly, cowl assembly, or rear body section.

(j) "Materials" means motor vehicles, derelicts, and major parts that are not prepared materials.

(k) "Mobile home" means mobile home as defined in s. 320.01(2).

(l) "Motor vehicle" means motor vehicle as defined in s. 320.01(1).

(m) "Parts" means parts of motor vehicles or combinations thereof that do not constitute materials or prepared materials.

~~(n) "Personal identification card" means personal identification card as defined in s. 538.18(5).~~

~~(n)(+)~~ "Prepared materials" means motor vehicles, mobile homes, derelict motor vehicles, major parts, or parts that have been processed by mechanically flattening or crushing, or otherwise processed such that they are not the motor vehicle or mobile home described in the certificate of title, or their only value is as scrap metal.

~~(o)(+)~~ "Processing" means the business of performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value, or the purchase of materials, prepared materials, or parts therefor.

~~(p)(+)~~ "Recreational vehicle" means a motor vehicle as defined in s. 320.01(1).

~~(q)(+)~~ "Salvage" means a motor vehicle or mobile home which is a total loss as defined in paragraph (3)(a).

~~(r)(+)~~ "Salvage certificate of title" means a salvage certificate of title issued by the department or by another motor vehicle department authorized to issue titles in another state.

~~(s)(+)~~ "Salvage motor vehicle dealer" means salvage motor vehicle dealer as defined in s. 320.27(1)(c)5.

~~(t)(+)~~ "Secondary metals recycler" means secondary metals recycler as defined in s. 538.18(8).

(u) "Seller" means the owner of record or a person who has physical possession and responsibility for a derelict motor vehicle and attests that possession of the vehicle was obtained through lawful means along with all ownership rights. A seller does not include a towing company, repair shop, or landlord unless the towing company, repair shop, or landlord has obtained title, salvage title, or a certificate of destruction in the name of the towing company, repair shop, or landlord.

(2)(a) Each person mentioned as owner in the last issued certificate of title, when such motor vehicle or mobile home is dismantled, destroyed, or changed in such manner that it is not the motor vehicle or mobile home described in the certificate of title, shall surrender his or her certificate of title to the department, and thereupon the department shall, with the consent of any lienholders noted

thereon, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department may cancel and destroy all certificates in that chain of title. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b)1. When a motor vehicle, recreational vehicle, or mobile home is sold, transported, ~~or delivered to, or received by~~ a salvage motor vehicle dealer, it shall be accompanied by:

- a. A valid certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;
- b. A valid salvage certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller; or
- c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational vehicle, or mobile home without obtaining a properly endorsed certificate of title, salvage certificate of title, or certificate of destruction from the owner commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c)1. When a derelict motor vehicle is sold, transported, or delivered to a licensed salvage motor vehicle dealer, the purchaser shall record the date of purchase and the name, address, and valid Florida driver's license number or valid Florida identification card number, or a valid driver's license number or identification card number issued by another state, personal identification card number of the person selling the derelict motor vehicle, and it shall be accompanied by:

- a. A valid certificate of title issued in the name of the seller or properly endorsed over to the seller;
- b. A valid salvage certificate of title issued in the name of the seller or properly endorsed over to the seller; or
- c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. If a ~~valid~~ the certificate of title, salvage certificate of title, or certificate of destruction is not available, a derelict motor vehicle certificate application shall be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer at the time of sale, transport, or delivery to the licensed salvage motor vehicle dealer. The derelict motor vehicle certificate application shall be used by the seller or owner, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer to obtain a derelict motor vehicle certificate from the department. The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida driver's license or Florida identification card, or a valid driver's license or identification card issued by another state. If the seller is not the owner of record of the vehicle being sold, the dealer shall, at the time of sale, ensure that a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application and that a legible copy of the seller's driver's license or identification card is affixed to the application and transmitted to the department. The licensed salvage motor vehicle dealer shall secure the derelict motor vehicle or mobile home for 3 full business days, excluding weekends and holidays, if there is no active lien or a lien of 3 years or more on the department's records before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate application to an agent of the department within 24 hours after receiving the derelict motor vehicle. If there is an active lien of less than 3 years on the derelict motor vehicle, the licensed salvage motor vehicle dealer shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder that a derelict motor vehicle certificate has been issued and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict certificate application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the licensed salvage motor vehicle dealer within the 10-

day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The licensed salvage motor vehicle dealer must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.

3. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph by selling, transporting, delivering, purchasing, or receiving a derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate application; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate application as required; does not obtain a legible copy of the seller's or owner's valid driver's license or identification card when required; ~~or~~ does not make the required notification to the department; or destroys or dismantles a derelict motor vehicle without waiting the required time as set forth in subparagraph 2. ~~3 full business days~~ commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3)

(b) The owner, including persons who are self-insured, of any motor vehicle or mobile home which is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company which pays money as compensation for total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home and, within 72 hours after receiving such certificate of title, shall forward such title to the department for processing. The owner or insurance company, as the case may be, may not dispose of a vehicle or mobile home that is a total loss before it has obtained a salvage certificate of title or certificate of destruction from the department. When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 80 percent or more of the current retail cost of the vehicle, as established in any official used car or used mobile home guide, the department shall declare the vehicle unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle or mobile home described therein. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle shall be required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title, and, thereafter, the department shall refuse issuance of any certificate of title for that vehicle. Nothing in this subsection shall be applicable when a vehicle is worth less than \$1,500 retail in undamaged condition in any official used motor vehicle guide or used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. Any person who ~~knowingly willfully and deliberately~~ violates this paragraph or falsifies any document to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(7)(a) In the event of a purchase by a secondary metals recycler, that has been issued a certificate of registration number, of:

1. Materials, prepared materials, or parts from any seller for purposes other than the processing of such materials, prepared materials, or parts, the purchaser shall obtain such documentation as may be required by this section

and shall record the seller's name and address, date of purchase, and the personal identification card number of the person delivering such items.

2. Parts or prepared materials from any seller for purposes of the processing of such parts or prepared materials, the purchaser shall record the seller's name and address and date of purchase and, in the event of a purchase transaction consisting primarily of parts or prepared materials, the personal identification card number of the person delivering such items.

3. Materials from another secondary metals recycler for purposes of the processing of such materials, the purchaser shall record the seller's name and address and date of purchase.

4.a. Motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles from other than a secondary metals recycler for purposes of the processing of such motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles, the purchaser shall record the date of purchase and the name, address, and personal identification card number of the person selling such items and shall obtain the following documentation from the seller with respect to each item purchased:

(I) A valid certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;

(II) A valid salvage certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;

(III)(H) A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller; or

(IV)(H) A valid derelict motor vehicle certificate obtained from the department ~~completed~~ by a licensed salvage motor vehicle dealer and properly reassigned to the secondary metals recycler.

b. If a valid certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate is not available and the motor vehicle or mobile home is a derelict motor vehicle, a derelict motor vehicle certificate application shall be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, and the registered secondary metals recycler at the time of sale, transport, or delivery to the registered secondary metals recycler to obtain a derelict motor vehicle certificate from the department. The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida driver's license or Florida identification card, or a valid driver's license or identification card from another state. If the seller is not the owner of record of the vehicle being sold, the recycler shall, at the time of sale, ensure that a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application and that the legible copy of the seller's driver's license or identification card is affixed to the application and transmitted to the department. The derelict motor vehicle certificate shall be used by the owner, the owner's authorized transporter, and the registered secondary metals recycler. The registered secondary metals recycler shall secure the derelict motor vehicle for 3 full business days, excluding weekends and holidays, if there is no active lien or a lien of 3 years or more on the department's records before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate application to an agent of the department within 24 hours after receiving the derelict motor vehicle. If there is an active lien of less than 3 years on the derelict motor vehicle, the registered secondary metals recycler shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder of the application for a derelict motor vehicle certificate and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the registered secondary metals recycler within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The registered secondary metals recycler must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.

c. Any person who ~~knowingly willfully and deliberately~~ violates this subparagraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational motor vehicle, mobile home, or derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate application as required or does not make the required notification to the department; does not obtain a legible copy of the seller's or owner's driver's license or identification card when required; or destroys or dismantles a derelict motor vehicle without waiting the required time as set forth in sub-subparagraph b. 3 full business days commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

5. Major parts from other than a secondary metals recycler for purposes of the processing of such major parts, the purchaser shall record the seller's name, address, date of purchase, and the personal identification card number of the person delivering such items, as well as the vehicle identification number, if available, of each major part purchased.

(8)(a) Secondary metals recyclers and salvage motor vehicle dealers shall return to the department on a monthly basis all certificates of title and salvage certificates of title that are required by this section to be obtained. Secondary metals recyclers and salvage motor vehicle dealers may elect to notify the department electronically through procedures established by the department when they receive each motor vehicle or mobile home, salvage motor vehicle or mobile home, or derelict motor vehicle with a certificate of title or salvage certificate of title through procedures established by the department. The department may adopt rules and establish fees as it deems necessary or proper for the administration of the electronic notification service.

(b) Secondary metals recyclers and salvage motor vehicle dealers shall keep originals, or a copy in the event the original was returned to the department, of all certificates of title, salvage certificates of title, certificates of destruction, derelict motor vehicle certificates, and all other information required by this section to be recorded or obtained, on file in the offices of such secondary metals recyclers or salvage motor vehicle dealers for a period of 3 years after the date of purchase of the items reflected in such certificates of title, salvage certificates of title, certificates of destruction, or derelict motor vehicle certificates. These records shall be maintained in chronological order.

(c) For the purpose of enforcement of this section, the department or its agents and employees have the same right of inspection as law enforcement officers as provided in s. 812.055.

(d) Whenever the department, its agent or employee, or any law enforcement officer has reason to believe that a stolen or fraudulently titled motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle is in the possession of a salvage motor vehicle dealer or secondary metals recycler, the department, its agent or employee, or the law enforcement officer may issue an extended ~~a~~ hold notice, not to exceed 5 additional business days, excluding weekends and holidays, to the salvage motor vehicle dealer or registered secondary metals recycler.

(e) Whenever a salvage motor vehicle dealer or registered secondary metals recycler is notified by the department, its agent or employee, or any law enforcement officer to hold a motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle that is believed to be stolen or fraudulently titled, the salvage motor vehicle dealer or registered secondary metals recycler shall hold the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle and may not dismantle or destroy the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle until it is recovered by a law enforcement officer, the hold is released by the department or the law enforcement officer placing the hold, or the 5 additional business working days have passed since being notified of the hold.

(f) This section does not authorize any person who is engaged in the business of recovering, towing, or storing vehicles pursuant to s. 713.78, and who is claiming a lien for performing labor or services on a motor vehicle or mobile home pursuant to s. 713.58, or is claiming that a motor vehicle or mobile home has remained on any premises after tenancy has terminated pursuant to s. 715.104, to use a derelict motor vehicle certificate application for the purpose of transporting, selling, disposing, or delivering a motor

vehicle to a salvage motor vehicle dealer or secondary metals recycler without obtaining the title or certificate of destruction required under s. 713.58, s. 713.78, or s. 715.104.

(g) The department shall accept all properly endorsed and completed derelict motor vehicle certificate applications and shall issue a derelict motor vehicle certificate having an effective date that authorizes when a derelict motor vehicle is eligible for dismantling or destruction. The electronic information obtained from the derelict motor vehicle certificate application shall be stored electronically and shall be made available to authorized persons after issuance of the derelict motor vehicle certificate in the Florida Real Time Vehicle Information System.

(h)(4) The department is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 establishing policies and procedures to administer and enforce this section.

(i)(5) The department shall charge a fee of \$3 for each derelict motor vehicle certificate delivered to the department or one of its agents for processing and shall mark the title record canceled. A service charge may be collected under s. 320.04.

(j) The licensed salvage motor vehicle dealer or registered secondary metals recycler shall make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record on file with the department by check or money order made payable to the seller and may not make payment to the authorized transporter. The licensed salvage motor vehicle dealer or registered secondary metals recycler may not cash the check that such dealer or recycler issued to the seller.

Section 10. Subsection (16) of section 320.02, Florida Statutes, is amended to read:

320.02 Registration required; application for registration; forms.—

(16) The department is authorized to withhold registration or re-registration of a motor vehicle if the name of the owner or of a coowner appears on a list submitted to the department by a licensed motor vehicle dealer for a previous registration of that vehicle. The department shall place the name of the registered owner of that vehicle on the list of those persons who may not be issued a license plate, revalidation sticker, or replacement plate for the vehicle purchased from the licensed motor vehicle dealer. The motor vehicle dealer must maintain signed evidence that the owner or coowner acknowledged the dealer's authority to submit the list to the department if he or she failed to pay and must note the amount for which the owner or coowner would be responsible for the vehicle registration. The dealer must maintain the necessary documentation required in this subsection or face penalties as provided in s. 320.27. This subsection does not affect the issuance of a title to a motor vehicle.

(a) The motor vehicle owner or coowner may dispute the claim that money is owed to a dealer for registration fees by submitting a form to the department if the motor vehicle owner or coowner has documentary proof that the registration fees have been paid to the dealer for the disputed amount. Without clear evidence of the amounts owed for the vehicle registration and repayment, the department will assume initial payments are applied to government-assessed fees first.

(b) If the registered owner's dispute complies with paragraph (a), the department shall immediately remove the motor vehicle owner or coowner's name from the list, thereby allowing the issuance of a license plate or revalidation sticker.

Section 11. Subsections (4) and (6) and paragraph (a) of subsection (9) of section 320.27, Florida Statutes, are amended to read:

320.27 Motor vehicle dealers.—

(4) LICENSE CERTIFICATE.—

(a) A license certificate shall be issued by the department in accordance with such application when the application is regular in form and in compliance with the provisions of this section. The license certificate may be in the form of a document or a computerized card as determined by the department. The actual cost of each original, additional, or replacement computerized card shall be borne by the licensee and is in addition to the fee for licensure. Such license, when so issued, entitles the licensee to carry on and conduct the business of a motor vehicle dealer. Each license issued to a franchise motor vehicle dealer expires annually on December 31 unless revoked or suspended prior to that date. Each license issued to an

independent or wholesale dealer or auction expires annually on April 30 unless revoked or suspended prior to that date. Not less than 60 days prior to the license expiration date, the department shall deliver or mail to each licensee the necessary renewal forms. Each independent dealer shall certify that the dealer (owner, partner, officer, or director of the licensee, or a full-time employee of the licensee that holds a responsible management-level position) has completed 8 hours of continuing education prior to filing the renewal forms with the department. Such certification shall be filed once every 2 years ~~commencing with the 2006 renewal period~~. The continuing education shall include at least 2 hours of legal or legislative issues, 1 hour of department issues, and 5 hours of relevant motor vehicle industry topics. Continuing education shall be provided by dealer schools licensed under paragraph (b) either in a classroom setting or by correspondence. Such schools shall provide certificates of completion to the department and the customer which shall be filed with the license renewal form, and such schools may charge a fee for providing continuing education. Any licensee who does not file his or her application and fees and any other requisite documents, as required by law, with the department at least 30 days prior to the license expiration date shall cease to engage in business as a motor vehicle dealer on the license expiration date. A renewal filed with the department within 45 days after the expiration date shall be accompanied by a delinquent fee of \$100. Thereafter, a new application is required, accompanied by the initial license fee. A license certificate duly issued by the department may be modified by endorsement to show a change in the name of the licensee, provided, as shown by affidavit of the licensee, the majority ownership interest of the licensee has not changed or the name of the person appearing as franchisee on the sales and service agreement has not changed. Modification of a license certificate to show any name change as herein provided shall not require initial licensure or reissuance of dealer tags; however, any dealer obtaining a name change shall transact all business in and be properly identified by that name. All documents relative to licensure shall reflect the new name. In the case of a franchise dealer, the name change shall be approved by the manufacturer, distributor, or importer. A licensee applying for a name change endorsement shall pay a fee of \$25 which fee shall apply to the change in the name of a main location and all additional locations licensed under the provisions of subsection (5). Each initial license application received by the department shall be accompanied by verification that, within the preceding 6 months, the applicant, or one or more of his or her designated employees, has attended a training and information seminar conducted by a licensed motor vehicle dealer training school. Any applicant for a new franchised motor vehicle dealer license who has held a valid franchised motor vehicle dealer license continuously for the past 2 years and who remains in good standing with the department is exempt from the prelicensing training requirement. Such seminar shall include, but is not limited to, statutory dealer requirements, which requirements include required bookkeeping and recordkeeping procedures, requirements for the collection of sales and use taxes, and such other information that in the opinion of the department will promote good business practices. No seminar may exceed 8 hours in length.

(b) Each initial license application received by the department for licensure under subparagraph (1)(c)2. ~~shall must~~ be accompanied by verification that, within the preceding 6 months, the applicant (owner, partner, officer, or director of the applicant, or a full-time employee of the applicant that holds a responsible management-level position) has successfully completed training conducted by a licensed motor vehicle dealer training school. Such training must include training in titling and registration of motor vehicles, laws relating to unfair and deceptive trade practices, laws relating to financing with regard to buy-here, pay-here operations, and such other information that in the opinion of the department will promote good business practices. Successful completion of this training shall be determined by examination administered at the end of the course and attendance of no less than 90 percent of the total hours required by such school. Any applicant who had held a valid motor vehicle dealer's license continuously within the past 2 years and who remains in good standing with the department is exempt from the prelicensing requirements of this section ~~paragraph~~. The department shall have the authority to adopt any rule necessary for establishing the training curriculum; length of training, which shall not exceed 8 hours for required

department topics and shall not exceed an additional 24 hours for topics related to other regulatory agencies' instructor qualifications; and any other requirements under this section. The curriculum for other subjects shall be approved by any and all other regulatory agencies having jurisdiction over specific subject matters; however, the overall administration of the licensing of these dealer schools and their instructors shall remain with the department. Such schools are authorized to charge a fee. ~~This privatized method for training applicants for dealer licensing pursuant to subparagraph (1)(c)2. is a pilot program that shall be evaluated by the department after it has been in operation for a period of 2 years.~~

(6) RECORDS TO BE KEPT BY LICENSEE.—Every licensee shall keep a book or record in either paper or electronic ~~such~~ form as ~~shall be~~ prescribed or approved by the department for a period of 5 years, in which the licensee shall keep a record of the purchase, sale, or exchange, or receipt for the purpose of sale, of any motor vehicle, the date upon which any temporary tag was issued, the date of title transfer, and a description of such motor vehicle together with the name and address of the seller, the purchaser, and the alleged owner or other person from whom such motor vehicle was purchased or received or to whom it was sold or delivered, as the case may be. Such description shall include the identification or engine number, maker's number, if any, chassis number, if any, and such other numbers or identification marks as may be thereon and shall also include a statement that a number has been obliterated, defaced, or changed, if such is the fact. When a licensee chooses to maintain electronic records, the original paper documents may be destroyed after the licensee successfully transfers title and registration to the purchaser as required by chapter 319 for any purchaser who titles and registers the motor vehicle in this state. In the case of a sale to a purchaser who will title and register the motor vehicle in another state or country, the licensee may destroy the original paper documents after successfully delivering a lawfully reassigned title or manufacturer's certificate or statement of origin to the purchaser and after producing electronic images of all documents related to the sale.

(9) DENIAL, SUSPENSION, OR REVOCATION.—

(a) The department may deny, suspend, or revoke any license issued hereunder or under the provisions of s. 320.77 or s. 320.771; upon proof that an applicant or a licensee has ~~committed any of the following activities:~~

1. ~~Committed Commission of~~ fraud or willful misrepresentation in application for or in obtaining a license.
2. ~~Been convicted Conviction of~~ a felony.
3. ~~Failed Failure~~ to honor a bank draft or check given to a motor vehicle dealer for the purchase of a motor vehicle by another motor vehicle dealer within 10 days after notification that the bank draft or check has been dishonored. If the transaction is disputed, the maker of the bank draft or check shall post a bond in accordance with the provisions of s. 559.917, and no proceeding for revocation or suspension shall be commenced until the dispute is resolved.

4.a. Failed to provide payment within 10 business days to the department for a check payable to the department that was dishonored due to insufficient funds in the amount due plus any statutorily authorized fee for uttering a worthless check. The department shall notify an applicant or licensee when the applicant or licensee makes payment to the department by a check that is subsequently dishonored by the bank due to insufficient funds. The applicant or licensee shall, within 10 business days after receiving the notice, provide payment to the department in the form of cash in the amount due plus any statutorily authorized fee. If the applicant or licensee fails to make such payment within 10 business days, the department may deny, suspend, or revoke the applicant's or licensee's motor vehicle dealer license.

b. Stopped payment on a check payable to the department, issued a check payable to the department from an account that has been closed, or charged back a credit card transaction to the department. If an applicant or licensee commits any such act, the department may deny, suspend, or revoke the applicant's or licensee's motor vehicle dealer license.

5.a. Failed to provide payment in the amount of tuition due plus any statutorily authorized fee within 10 business days to a licensed motor vehicle dealer training school for a check payable to the school that was dishonored due to insufficient funds in the amount of tuition due plus any statutorily authorized fee for uttering a worthless check. A licensed motor vehicle dealer

training school shall notify a student when the student makes payment to the school by a check that is subsequently dishonored by the bank due to insufficient funds. The student shall, within 10 business days after receiving the notice, provide payment to the school in a manner designated by the school in the amount of tuition due plus any statutorily authorized fee. If the student fails to make such payment within 10 business days, the motor vehicle dealer training school may cancel the training certificate issued to the student and notify the department of the cancellation of the training certificate.

b. Stopped payment on a check payable to a licensed motor vehicle dealer training school, issued a check payable to a licensed motor vehicle dealer training school from an account that has been closed, or charged back a credit card transaction to a licensed motor vehicle dealer training school. If a student commits any such act, the motor vehicle dealer training school may cancel the training certificate issued to the student and notify the department of the cancellation of the training certificate.

Section 12. Subsection (4) of section 322.0261, Florida Statutes, is amended to read:

322.0261 Driver improvement course; requirement to maintain driving privileges; failure to complete; department approval of course.—

(4) The department shall identify any operator convicted of, or who pleaded nolo contendere to, a violation of s. 316.074(1), s. 316.075(1)(e), s. 316.172, s. 316.191, or s. 316.192 and, unless the court has withheld adjudication, shall require that operator, in addition to other applicable penalties, to attend a department-approved driver improvement course in order to maintain driving privileges. The department shall, within 10 days after receiving a notice of judicial disposition, send notice to the operator of the requirement to attend a driver improvement course. If the operator

TITLE AMENDMENT

Remove lines 37-55 and insert:

319.241, F.S.; revising provisions relating to an application for the removal of a lien from the files of the department or from the certificate of title; authorizing the department to remove the lien from its files within a specified period after receiving an application for a derelict motor vehicle certificate and notification to the lienholder, unless a written statement protesting such removal is received; amending s. 319.30, F.S.; revising definitions; revising requirements for disposition of a motor vehicle, recreational vehicle, or mobile home that is sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; requiring certificates of title to conform to specified provisions; providing for the dealer or recycler to apply to the department for a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; requiring the derelict motor vehicle certificate application to be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, or the dealer or recycler; requiring certain identification information be included with the application; revising the types of documentation that a secondary metals recycler must obtain; permitting recyclers to obtain salvage certificates of title from sellers or owners as a valid method of documentation; providing that a person engaged in the business of recovering, towing, or storing vehicles may not claim certain liens, claim that certain vehicles have remained on any premises after tenancy has terminated, or use the derelict motor vehicle certificate application to transport, sell, or dispose of a motor vehicle at a salvage motor vehicle dealer or secondary metals recycler without otherwise obtaining title to the vehicle or a certificate of destruction; requiring that the department accept all properly endorsed and completed derelict motor vehicle certificate applications and issue such certification having an effective date that authorizes when the vehicle is eligible for dismantling or destruction; requiring that such electronic information be stored and made available to authorized persons; requiring that all licensed salvage motor vehicle dealers or registered secondary metals recyclers make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record by check or money order; amending s. 320.02, F.S.; directing the department to place the name of the owner of

a motor vehicle on the list of persons who may not be issued a license plate or revalidation sticker if that person is on a list submitted to the department by a licensed dealer; amending s. 320.27, F.S.; clarifying an exemption from certain dealer preclicensing requirements; removing a requirement for evaluation of privatized applicant training methods; authorizing dealer records to be kept in either paper or electronic form; providing procedures for transfer of documents to electronic form; authorizing the department to deny, suspend, or revoke a dealer's license for certain actions relating to payments made to the department; authorizing a dealer training school to cancel the training certificate issued to a student for certain actions relating to payments made to the school; amending s. 322.0261, F.S.; revising provisions requiring persons who were convicted of or who pleaded nolo contendere to specified traffic infractions to attend a driver improvement course; providing that the department shall not require a person to attend a driver improvement course for specified traffic violations when adjudication has been withheld by the court; requiring the department to send notice of a requirement to attend a driver improvement course within a certain time period after receiving a report of an adjudication; providing an

Rep. Burgin moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1059—A bill to be entitled An act relating to public records; creating s. 517.2016, F.S.; providing an exemption from public records requirements for information that would reveal examination techniques and procedures used by the Office of Financial Regulation pursuant to the Florida Securities and Investor Protection Act; providing a definition; providing for retroactive application of the public record exemption; providing an exception to the exemption for other governmental entities having oversight or regulatory or law enforcement authority; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Recessed

The House recessed at 11:48 a.m., to reconvene at 1:15 p.m.

Reconvened

The House was called to order by the Speaker at 1:15 p.m. A quorum was present [Session Vote Sequence: 892].

CS/HB 637—A bill to be entitled An act relating to the admissions tax; amending s. 212.04, F.S.; expanding an exemption from the tax for certain sports championship or all-star games, certain other professional sporting events, and certain professional sport sponsored events; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Remarks

The Speaker recognized Rep. Poppell, who made brief farewell remarks.

CS/CS/CS/HB 665—A bill to be entitled An act relating to affordable housing; amending s. 20.055, F.S.; revising the definition of "state agency" to include the Florida Housing Finance Corporation; revising the definition of "agency head" to include the board of directors of the corporation; requiring the inspector general to prepare an annual report; amending s. 159.608, F.S.; providing a housing finance authority with an additional purpose for which it may exercise its power to borrow; amending s. 163.3177, F.S.; revising provisions relating to the elements of local comprehensive plans to include

an element for affordable housing for certain seniors; providing for the disposition of real property by a local government for the development of affordable housing; amending s. 201.15, F.S.; revising the allocation of certain proceeds distributed from the excise tax on documents that are paid into the State Treasury to the credit of the State Housing Trust Fund; providing for retroactive repeal of s. 8, ch. 2009-131, Laws of Florida, to eliminate a conflicting version of s. 201.15, F.S.; amending s. 420.0003, F.S.; including the needs of persons with special needs in the state housing strategy's periodic review and report; amending s. 420.0004, F.S.; defining the terms "disabling condition" and "person with special needs"; conforming cross-references; amending s. 420.0006, F.S.; removing an obsolete reference; deleting provisions requiring the inspector general of the Department of Community Affairs to perform functions for the corporation to conform to changes made by the act; amending s. 420.504, F.S.; authorizing the Secretary of Community Affairs to designate a senior-level agency employee to serve on the board of directors of the Florida Housing Finance Corporation; amending s. 420.506, F.S.; providing for the appointment of an inspector general of the Florida Housing Finance Corporation; providing appointing authority thereof; providing duties and responsibilities of the inspector general; amending s. 420.507, F.S.; requiring certain rates of interest to be made available to sponsors of projects for persons with special needs; providing additional powers of the corporation relating to receipt of federal funds; revising powers of the corporation relating to criteria establishing a preference for eligible developers and general contractors; conforming a cross-reference; amending s. 420.5087, F.S.; limiting the reservation of funds within each notice of fund availability to the persons with special needs tenant group; including persons with special needs as a tenant group for specified purposes of the State Apartment Incentive Loan Program; revising and providing criteria to be used by a specified review committee for the competitive ranking of applications for such program; conforming a cross-reference; amending ss. 163.31771, 212.08, 215.5586, and 420.503, F.S.; conforming cross-references; providing legislative intent; prohibiting funds from the State Housing Trust Fund or the Local Government Housing Trust Fund that are appropriated for specified programs from being used for certain purposes; providing for future repeal; providing an effective date.

—was read the second time by title.

Representative Pafford offered the following:

(Amendment Bar Code: 477887)

Amendment 1 (with title amendment)—Remove lines 151-156 and insert:

moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities. The element may include provisions that specifically address affordable housing for persons 60 years of age or older. Real property that is conveyed to a local government

TITLE AMENDMENT

Remove line 12 and insert:
authorize the inclusion of an element for affordable housing for certain

Rep. Pafford moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1503—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., and repealing paragraph (10)(e), relating to a prohibition against applying the Drug-Free Workplace Act retroactively; conforming a cross-reference; amending s. 381.00315, F.S.; directing the Department of Health to accept funds from counties, municipalities, and certain other entities for the purchase of certain products made available under a contract with the United States Department of Health and Human Services for the manufacture and delivery of such products in response to a

public health emergency; repealing s. 383.325, F.S., relating to the requirement of a licensed facility under s. 383.305, F.S., to maintain inspection reports; amending s. 395.0197, F.S.; providing for a rebuttable presumption against negligence or malpractice claims for hospitals and their employees or independent contractors under specified circumstances; establishing components for the plan; repealing s. 395.1046, F.S., relating to the investigation of complaints regarding hospitals; repealing s. 395.3037, F.S.; deleting definitions relating to obsolete provisions governing primary and comprehensive stroke centers; amending s. 400.0239, F.S.; deleting an obsolete provision; repealing s. 400.147(10), F.S., relating to a requirement that a nursing home facility report any notice of a filing of a claim for a violation of a resident's rights or a claim of negligence; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; repealing s. 400.195, F.S., relating to reporting requirements for the Agency for Health Care Administration; amending s. 400.476, F.S.; providing requirements for an alternate administrator of a home health agency; revising the duties of the administrator; revising the requirements for a director of nursing for a specified number of home health agencies; prohibiting a home health agency from using an individual as a home health aide unless the person has completed training and an evaluation program; requiring a home health aide to meet certain standards in order to be competent in performing certain tasks; requiring a home health agency and staff to comply with accepted professional standards; providing certain requirements for a written contract between certain personnel and the agency; requiring a home health agency to provide certain services through its employees; authorizing a home health agency to provide additional services with another organization; providing responsibilities of a home health agency when it provides home health aide services through another organization; requiring the home health agency to coordinate personnel who provide home health services; requiring personnel to communicate with the home health agency; amending s. 400.487, F.S.; requiring a home health agency to provide a patient or the patient's legal representative a copy of the agreement between the agency and the patient which specifies the home health services to be provided; providing the rights that are protected by the home health agency; requiring the home health agency to furnish nursing services by or under the supervision of a registered nurse; requiring the home health agency to provide therapy services through a qualified therapist or therapy assistant; providing the duties and qualifications of a therapist and therapy assistant; requiring supervision by a physical therapist or occupational therapist of a physical therapist assistant or occupational therapy assistant; providing duties of a physical therapist assistant or occupational therapy assistant; providing for speech therapy services to be provided by a qualified speech-language pathologist or audiologist; providing for a plan of care; providing that only the staff of a home health agency may administer drugs and treatments as ordered by certain health professionals; providing requirements for verbal orders; providing duties of a registered nurse, licensed practical nurse, home health aide, and certified nursing assistant who work for a home health agency; providing for supervisory visits of services provided by a home health agency; repealing s. 408.802(11), F.S., relating to the applicability of the Health Care Licensing Procedures Act to private review agents; repealing s. 409.912(15)(e), (f), and (g), F.S., relating to a requirement for the Agency for Health Care Administration to submit a report to the Legislature regarding the operations of the CARE program; repealing s. 409.9122(13), F.S., relating to Medicaid managed prepaid plan minimum enrollment levels for plans operating in Miami-Dade County; amending s. 409.91255, F.S.; transferring administrative responsibility for the application procedure for federally qualified health centers from the Department of Health to the Agency for Health Care Administration; requiring the Florida Association of Community Health Centers, Inc., to provide support and assume administrative costs for the program; repealing s. 429.12(2), F.S., relating to the sale or transfer of ownership of an assisted living facility; repealing s. 429.23(5), F.S., relating to each assisted living facility's requirement to submit a report to the agency regarding liability claims filed against it; repealing s. 429.911(2)(a), F.S., relating to an intentional or negligent act materially affecting the health or safety of center participants as grounds for which the agency may take action against the owner of an adult day care center or its operator or employee; requiring persons who apply for licensure renewal as a dentist or dental

hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state's dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state's dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; amending s. 381.0403, F.S.; deleting provisions relating to the program for graduate medical education innovations and the graduate medical education committee and report; conforming cross-references; amending s. 381.4018, F.S.; providing definitions; requiring the Department of Health to coordinate and enhance activities regarding the reentry of retired military and other physicians into the physician workforce; revising the list of governmental stakeholders that the department is required to work with regarding the state strategic plan and in assessing the state's physician workforce; creating the Physician Workforce Advisory Council; providing membership of the council; providing for appointments to the council; providing terms of membership; providing for removal of a council member; providing for a chair and vice chair of the council; providing that council members are not entitled to receive compensation or reimbursement for per diem or travel expenses; providing the duties of the council; establishing the physician workforce graduate medical education innovation pilot projects under the department; providing the purposes of the pilot projects; providing for the appropriation of state funds for the pilot projects; requiring the pilot projects to meet certain policy needs of the physician workforce in this state; providing criteria for prioritizing proposals for pilot projects; requiring the department to adopt by rule appropriate performance measures; requiring participating pilot projects to submit an annual report to the department; requiring state funds to be used to supplement funds from other sources; requiring the department to adopt rules; amending ss. 458.3192 and 459.0082, F.S.; requiring the department to determine by geographic area and specialty the number of physicians and osteopathic physicians who plan to relocate outside the state, practice medicine in this state, and reduce or modify the scope of their practice; authorizing the department to report additional information in its findings to the Governor and the Legislature; amending s. 458.315, F.S.; revising the standards for the Board of Medicine to issue a temporary certificate to a certain physicians to practice medicine in areas of critical need; authorizing the State Surgeon General to designate areas of critical need; creating s. 459.0076, F.S.; authorizing the Board of Osteopathic Medicine to issue temporary certificates to osteopathic physicians who meet certain requirements to practice osteopathic medicine in areas of critical need; providing restrictions for issuance of a temporary certificate; authorizing the State Surgeon General to designate areas of critical need; authorizing the Board of Osteopathic Medicine to waive the application fee and licensure fees for obtaining temporary certificates for certain purposes; providing an effective date.

—was read the second time by title.

Representative Cruz offered the following:

(Amendment Bar Code: 233527)

Amendment 1 (with title amendment)—Between lines 218 and 219, insert:

Section 3. Paragraphs (a) and (b) of subsection (3) of section 381.932, Florida Statutes, are amended to read:

381.932 Breast cancer early detection and treatment referral program.—

(3) The program shall include, but not be limited to, the:

(a) Establishment of a public education and outreach initiative to publicize breast cancer early detection services, the benefits of early detection of breast cancer, and the recommended frequency for receiving screening services, including clinical breast examinations and mammography guidelines currently employed established by the United States Centers for Disease Control and Prevention Preventive Services Task Force.

(b) Development of professional education programs that include information regarding the benefits of the early detection of breast cancer and the recommended frequency for receiving a mammogram, as recommended in the most current breast cancer screening guidelines currently employed established by the United States Centers for Disease Control and Prevention Preventive Services Task Force.

TITLE AMENDMENT

Remove line 12 and insert:

public health emergency; amending s. 381.932, F.S.; revising certain criteria of the breast cancer early detection and treatment referral program by requiring that the public education and outreach initiative and professional education programs use guidelines currently employed by the United States Centers for Disease Control and Prevention rather than the United States Preventive Services Task Force; repealing s. 383.325, F.S.,

Rep. Cruz moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 245441)

Amendment 2 (with title amendment)—Between lines 218 and 219, insert:

Section 3. Subsection (2) of section 381.06015, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

381.06015 Public Cord Blood Tissue Bank.—

(2)(a) The Agency for Health Care Administration and the Department of Health shall encourage health care providers, including, but not limited to, hospitals, birthing facilities, county health departments, physicians, midwives, and nurses, to disseminate information about the Public Cord Blood Tissue Bank.

(b) The State Surgeon General shall make publicly available, by posting on the Internet website of the Department of Health, resources and an Internet website link to materials relating to umbilical cord blood that have been developed by the Parent's Guide to Cord Blood Foundation.

(8) Beginning October 1, 2010, the Department of Health shall encourage health care professionals who provide health care services that are directly related to a woman's pregnancy to make available to the patient before her third trimester of pregnancy, or, if later, at the first visit of such pregnant woman to the provider, information developed under paragraph (2)(b) relating to the woman's options with respect to umbilical cord blood banking.

TITLE AMENDMENT

Remove line 12 and insert:

public health emergency; amending s. 381.06015, F.S.; requiring the State Surgeon General to make certain resources and materials relating to umbilical cord blood available on the Internet website of the Department of Health; requiring the Department of Health to encourage certain health care professionals to make specified information available to patients; repealing s. 383.325, F.S.,

Rep. Flores moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 388499)

Amendment 3 (with title amendment)—Remove lines 220-245 and insert:

Section 4. Paragraph (b) of subsection (1) of section 395.1055, Florida Statutes, is amended to read:

395.1055 Rules and enforcement.—

(1) The agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this part, which shall include reasonable and fair minimum standards for ensuring that:

(b) Infection control, housekeeping, sanitary conditions, and medical record procedures that will adequately protect patient care and safety are established and implemented. Infection control rules shall include a requirement to establish and implement a comprehensive plan to reduce health care associated infections. The plan must include all of the following components:

1. A baseline measurement of health care associated infections in the hospital that uses the National Healthcare Safety Network and Centers for Disease Control and Prevention surveillance definitions and reports the number of infections in each category relative to the volume of possible cases in the hospital.

2. A goal for reducing the incidence of infections by a specific amount within a defined period of time. The hospital's goal for reduction of infections must be commensurate with the national goal for reducing each type of health care associated infection.

3. An action plan for reducing each type of health care associated infection, including the use of real-time infection surveillance technology.

4. Methods for making information available to patients and the public regarding baseline measurements and periodic reports on the hospital's progress in improving measures designed to reduce health care associated infections.

TITLE AMENDMENT

Remove lines 15-18 and insert:

s. 395.1055, F.S., requiring Agency for Health Care Administration rules related to infection control to include a requirement that hospitals establish a comprehensive plan to reduce health care associated infections; establishing components for the plan;

Rep. Flores moved the adoption of the amendment.

On motion by Rep. Dorworth, by the required two-thirds vote, the House agreed to consider the following late-filed amendment to the amendment.

Representative Dorworth offered the following:

(Amendment Bar Code: 019161)

Amendment 1 to Amendment 3—Remove line 32 and insert: surveillance technology or automated infection control or prevention technology.

Rep. Dorworth moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 3**, as amended, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 315225)

Amendment 4—Remove lines 331-336 and insert:

d. This person, or a similarly qualified alternate, is available at all times by telecommunications during operating hours and participates.

Rep. Flores moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 948421)

Amendment 5—Remove line 397 and insert:

(b) Except for direct employees of the home health agency, if personnel under hourly or per-visit contracts are

Rep. Flores moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 571583)

Amendment 6—Remove lines 551-568 and insert:

(a) Physical therapy services.—Physical therapy services shall be furnished only by or under the supervision of a licensed physical therapist or licensed physical therapist assistant as required under chapter 486 and related applicable rules. A physical therapist assistant shall perform services planned, delegated, and supervised by the physical therapist, assist in preparing clinical notes and progress reports, participate in educating the patient and his or her family, and participate in in-service programs.

(b) Occupational therapy services.—Occupational therapy services shall be furnished only by or under the supervision of a licensed occupational therapist or occupational therapy assistant as provided under part III of chapter 468 and related applicable rules. An occupational therapy assistant shall perform any services planned, delegated, and supervised by an occupational therapist, assist in preparing clinical notes and progress reports, participate in educating the patient and his or her family, and participate in in-service programs.

Rep. Flores moved the adoption of the amendment.

On motion by Rep. Homan, by the required two-thirds vote, the House agreed to consider the following late-filed amendment to the amendment.

Representative Homan offered the following:

(Amendment Bar Code: 074519)

Amendment 1 to Amendment 6—Remove lines 13-22 and insert: participate in in-service programs. This paragraph does not limit the services provided by a physician licensed under chapter 458 or chapter 459.

(b) Occupational therapy services.—Occupational therapy services shall be furnished only by or under the supervision of a licensed occupational therapist or occupational therapy assistant as provided under part III of chapter 468 and related applicable rules. An occupational therapy assistant shall perform any services planned, delegated, and supervised by an occupational therapist, assist in preparing clinical notes and progress reports, participate in educating the patient and his or her family, and participate in in-service programs. This paragraph does not limit the services provided by a physician licensed under chapter 458 or chapter 459.

Rep. Homan moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 6**, as amended, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 607729)

Amendment 7—Remove lines 608-611 and insert:

and teach other nursing personnel, unless the home health agency providing the home health aide services is not Medicare-certified or Medicaid-certified and does not provide skilled care or the patient is not receiving skilled care.

Rep. Flores moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 135769)

Amendment 8—Remove line 635 and insert:

certified and does not provide skilled care or the patient is not receiving skilled care. Written patient

Rep. Flores moved the adoption of the amendment, which was adopted.

On motion by Rep. Wood, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Wood offered the following:

(Amendment Bar Code: 472685)

Amendment 9 (with title amendment)—Between lines 675 and 676, insert:

Section 13. Paragraphs (f) and (g) of subsection (4) of section 400.9905, Florida Statutes, are amended to read:

400.9905 Definitions.—

(4) "Clinic" means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(f) A sole proprietorship, group practice, partnership, ~~or~~ corporation, or other legal entity that provides health care services by practitioners licensed under chapter 458, chapter 459, chapter 461, chapter 466, or chapter 460 and subject to the limitations of s. 460.4167 ~~physicians covered by s. 627.419~~, that is directly supervised by one or more of such physicians or physician assistants, and that is wholly owned by one or more of those physicians or physician assistants or by a physician or physician assistant or ~~and~~ the spouse, parent, child, or sibling of that physician or physician assistant. A certificate of exemption is valid only for the entity, persons, and location for which it was originally issued.

1. An individual who is not a medical professional or family member listed in this paragraph may own up to 30 percent of a health care clinic entity that is exempt under this paragraph if the individual obtains prior approval from the agency for ownership of a percentage of a health care clinic. Such an individual is considered an "applicant" under s. 400.991(5) and must meet all the requirements of that section and the level 2 background screening requirements of s. 408.809 before being approved by the agency for ownership of a minority interest in a health care clinic.

2. If an individual who is not a medical professional or family member listed in this paragraph assumes ownership of an investment interest in a health care clinic without the prior approval of the agency, the health care clinic shall lose its exemption from licensure under this paragraph.

3. Ownership of a health care clinic by an individual other than the physician or physician assistant, or by the spouse, parent, child, or sibling of the physician or physician assistant to whom the exemption was granted, may not exceed 30 percent.

(g) A sole proprietorship, group practice, partnership, or corporation that provides health care services by licensed health care practitioners under chapter 457, chapter 458, chapter 459, ~~chapter 460, chapter 461~~, chapter 462, chapter 463, chapter 466, chapter 467, chapter 480, chapter 484, chapter 486, chapter 490, chapter 491, or part I, part III, part X, part XIII, or part XIV of chapter 468, or s. 464.012, which are wholly owned by one or more licensed health care practitioners, or the licensed health care practitioners set forth in this paragraph and the spouse, parent, child, or sibling of a licensed health care practitioner, so long as one of the owners who is a licensed health care

practitioner is directly supervising health care services ~~the business activities~~ and is legally responsible for the entity's compliance with all federal and state laws. However, a health care practitioner who is a supervising owner may not supervise services beyond the scope of the practitioner's license, except that, for the purposes of this part, a clinic owned by a licensee in s. 456.053(3)(b) that provides only services authorized pursuant to s. 456.053(3)(b) may be supervised by a licensee specified in s. 456.053(3)(b). A certificate of exemption is valid only for the entity, persons, and location for which it was originally issued.

TITLE AMENDMENT

Remove line 77 and insert:

agency; amending s. 400.9905, F.S.; revising the definition of the term "clinic" applicable to the Health Care Clinic Act; providing exemptions from licensure requirements for certain legal entities that provide health care services; repealing s. 408.802(11), F.S., relating to the

Rep. Wood moved the adoption of the amendment, which was adopted.

Representative Williams, A. offered the following:

(Amendment Bar Code: 908125)

Amendment 10 (with title amendment)—Between lines 677 and 678, insert:

Section 14. Subsection (5) of section 409.903, Florida Statutes, is amended to read:

409.903 Mandatory payments for eligible persons.—The agency shall make payments for medical assistance and related services on behalf of the following persons who the department, or the Social Security Administration by contract with the Department of Children and Family Services, determines to be eligible, subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(5)(a) A pregnant woman for the duration of her pregnancy and for the postpartum period as defined in federal law and rule, or a child under age 1, if either is living in a family that has an income which is at or below 150 percent of the most current federal poverty level, or, effective January 1, 1992, that has an income which is at or below 185 percent of the most current federal poverty level. Such a person is not subject to an assets test. Further, a pregnant woman who applies for eligibility for the Medicaid program through a qualified Medicaid provider must be offered the opportunity, subject to federal rules, to be made presumptively eligible for the Medicaid program.

(b) Effective January 1, 2011, a woman who was eligible for Medicaid prenatal care benefits during pregnancy and who delivered a baby born prematurely or with a low birth weight or who experienced a fetal death in the course of her most recent pregnancy. Such a woman is eligible for full Medicaid benefits for 2 years postpartum, including primary health care and family planning services. The agency shall electronically enroll a woman eligible under this paragraph for full Medicaid benefits on the date of the delivery of the baby born prematurely or with a low birth weight or on the date of the fetal death. The agency may seek a Medicaid state plan amendment or federal waiver approval to implement this paragraph.

TITLE AMENDMENT

Remove line 79 and insert:

to private review agents; amending s. 409.903, F.S.; providing for continuation of Medicaid coverage for women eligible for prenatal care benefits under certain circumstances and for a specified period postpartum; requiring the Agency for Health Care Administration to electronically enroll eligible women; authorizing the agency to seek waiver authority; repealing s. 409.912(15)(e),

Rep. A. Williams moved the adoption of the amendment. Subsequently, **Amendment 10** was withdrawn.

Representative Fresen offered the following:

(Amendment Bar Code: 748243)

Amendment 11 (with title amendment)—Between lines 793 and 794, insert:

Section 17. Subsection (2) of section 429.075, Florida Statutes, is amended to read:

429.075 Limited mental health license.—An assisted living facility that serves three or more mental health residents must obtain a limited mental health license.

(2) Facilities licensed to provide services to mental health residents shall provide appropriate supervision and staffing to provide for the health, safety, and welfare of such residents. Assisted living facilities or community residential homes within an area zoned for residential use in a municipality having a population of more than 400,000, which house persons identified as being part of a priority population that includes adult and adolescent residents who have severe and persistent mental illness or substance abuse disorders, as described in s. 394.674, must maintain 24-hour security services provided by uniformed security personnel licensed under part III of chapter 493.

TITLE AMENDMENT

Remove line 92 and insert:

program; amending s. 429.075, F.S.; requiring certain assisted living facilities and community residential homes to maintain certain security services; repealing s. 429.12(2), F.S., relating to the

Rep. Fresen moved the adoption of the amendment.

On motion by Rep. Skidmore, by the required two-thirds vote, the House agreed to consider the following late-filed amendment to the amendment.

Representative Skidmore offered the following:

(Amendment Bar Code: 031777)

Amendment 1 to Amendment 11 (with title amendment)—Remove lines 13-18 and insert:

residents. Assisted living facilities within an area zoned for residential use in a municipality having a population of more than 400,000, which house persons identified as being part of a priority population that includes adult and adolescent residents who have severe and persistent mental illness, as described in s.

TITLE AMENDMENT

Remove line 28 and insert:

assisted living facilities

Rep. Skidmore moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 11**, as amended, which was adopted.

On motion by Rep. Patronis, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Patronis offered the following:

(Amendment Bar Code: 186405)

Amendment 12 (with title amendment)—Between lines 799 and 800, insert:

Section 20. Adult living facilities have become the preferred environment for individuals needing assistance with personal care services as they age and strive to function while having varying degrees of physical or mental

impairments. It is the intent of the Legislature that rules adopted and enforced in assisted living facilities include firesafety standards that ensure a safe and secure quality of life for residents.

(1) Under chapter 633, Florida Statutes, the State Fire Marshal is directed to adopt the Florida Fire Prevention Code for statewide application using the most current edition of the Life Safety Code. Assisted living facilities are governed by chapter 429, Florida Statutes, which permits compliance with 1988 firesafety standards and other standards governing firesafety, including the 1994 edition of the Life Safety Code.

(2) The State Fire Marshal is directed to conduct a study of the effectiveness of currently adopted firesafety standards for assisted living facilities and evaluate whether the continued use of such standards sufficiently ensures the safety of staff and residents in the case of a fire emergency. The study shall include input from the Department of Elderly Affairs, the Agency for Health Care Administration, the Department of Health, and trade organizations representing assisted living facilities. The study shall address, but need not be limited to, the establishment of uniform firesafety standards for fire alarms and other fire protections based on the size of the structure.

(3) The State Fire Marshal shall complete the study and provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 15, 2010. The report shall include, but need not be limited to, recommendations for legislative changes that will enhance the current firesafety standards of assisted living facilities without causing significant adverse impact on the residents or the individual caregivers.

TITLE AMENDMENT

Between lines 101 and 102, insert:
requiring the State Fire Marshal to conduct a study of the adequacy of firesafety standards in assisted living facilities; requiring a report to the Governor and Legislature;

Rep. Patronis moved the adoption of the amendment, which was adopted.

On motion by Rep. Long, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Long offered the following:

(Amendment Bar Code: 146229)

Amendment 13 (with title amendment)—Remove lines 911-914 and insert:

Section 23. Paragraphs (q) and (t) of subsection (2) of section 499.01, Florida Statutes, are amended to read:

499.01 Permits.—

(2) The following permits are established:

(q) Device manufacturer permit.—

1. A device manufacturer permit is required for any person that engages in the manufacture, repackaging, or assembly of medical devices for human use in this state, except that a permit is not required if:

a. The person manufactures, repackages, or assembles only those medical devices or components for such devices which are exempt from registration pursuant to s. 499.015(8); or

b. The person is engaged only in manufacturing, repackaging, or assembling a medical device pursuant to a practitioner's order for a specific patient.

2. A manufacturer or repackager of medical devices in this state must comply with all appropriate state and federal good manufacturing practices and quality system rules.

3. The department shall adopt rules related to storage, handling, and recordkeeping requirements for manufacturers of medical devices for human use.

TITLE AMENDMENT

Remove line 123 and insert:

resources; amending s. 499.01, F.S.; exempting certain persons from requirements for medical device manufacturer permits; authorizing certain

Rep. Long moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 049855)

Amendment 14 (with title amendment)—Between lines 963 and 964, insert:

Section 24. Subsections (32) through (54) of section 499.003, Florida Statutes, are renumbered as subsections (33) through (55), respectively, present subsection (42) is amended, and a new subsection (32) is added to that section, to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(32) "Medical convenience kit" means a package or unit that contains combination products as described in 21 C.F.R. s. 3.2(e)(2).

(43)(42) "Prescription drug" means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active ingredients subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection (11), subsection (46) (45), or subsection (53) (52).

Section 25. Paragraph (a) of subsection (1) of section 409.9201, Florida Statutes, is amended to read:

409.9201 Medicaid fraud.—

(1) As used in this section, the term:

(a) "Prescription drug" means any drug, including, but not limited to, finished dosage forms or active ingredients that are subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or by s. 465.003(8), s. 499.003(45)(45) or (53) (52), or s. 499.007(13).

The value of individual items of the legend drugs or goods or services involved in distinct transactions committed during a single scheme or course of conduct, whether involving a single person or several persons, may be aggregated when determining the punishment for the offense.

Section 26. Subsection (3) of section 465.0265, Florida Statutes, is amended to read:

465.0265 Centralized prescription filling.—

(3) The filling, delivery, and return of a prescription by one pharmacy for another pursuant to this section shall not be construed as the filling of a transferred prescription as set forth in s. 465.026 or as a wholesale distribution as set forth in s. 499.003(54)(53).

Section 27. Paragraph (d) of subsection (4) of section 499.0121, Florida Statutes, is amended to read:

499.0121 Storage and handling of prescription drugs; recordkeeping.—The department shall adopt rules to implement this section as necessary to protect the public health, safety, and welfare. Such rules shall include, but not be limited to, requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records.

(4) EXAMINATION OF MATERIALS AND RECORDS.—

(d) Upon receipt, a wholesale distributor must review records required under this section for the acquisition of prescription drugs for accuracy and completeness, considering the total facts and circumstances surrounding the transactions and the wholesale distributors involved. This includes authenticating each transaction listed on a pedigree paper, as defined in s. 499.003(37)(36).

Section 28. Paragraphs (a) and (b) of subsection (2) of section 499.01211, Florida Statutes, are amended to read:

499.01211 Drug Wholesale Distributor Advisory Council.—

(2) The State Surgeon General, or his or her designee, and the Secretary of Health Care Administration, or her or his designee, shall be members of the council. The State Surgeon General shall appoint nine additional members to the council who shall be appointed to a term of 4 years each, as follows:

(a) Three different persons each of whom is employed by a different prescription drug wholesale distributor licensed under this part which operates nationally and is a primary wholesale distributor, as defined in s. 499.003(47)(46).

(b) One person employed by a prescription drug wholesale distributor licensed under this part which is a secondary wholesale distributor, as defined in s. 499.003(52)(51).

Section 29. Subsection (1) of section 499.03, Florida Statutes, is amended to read:

499.03 Possession of certain drugs without prescriptions unlawful; exemptions and exceptions.—

(1) A person may not possess, or possess with intent to sell, dispense, or deliver, any habit-forming, toxic, harmful, or new drug subject to s. 499.003(33)(32), or prescription drug as defined in s. 499.003(43)(42), unless the possession of the drug has been obtained by a valid prescription of a practitioner licensed by law to prescribe the drug. However, this section does not apply to the delivery of such drugs to persons included in any of the classes named in this subsection, or to the agents or employees of such persons, for use in the usual course of their businesses or practices or in the performance of their official duties, as the case may be; nor does this section apply to the possession of such drugs by those persons or their agents or employees for such use:

(a) A licensed pharmacist or any person under the licensed pharmacist's supervision while acting within the scope of the licensed pharmacist's practice;

(b) A licensed practitioner authorized by law to prescribe prescription drugs or any person under the licensed practitioner's supervision while acting within the scope of the licensed practitioner's practice;

(c) A qualified person who uses prescription drugs for lawful research, teaching, or testing, and not for resale;

(d) A licensed hospital or other institution that procures such drugs for lawful administration or dispensing by practitioners;

(e) An officer or employee of a federal, state, or local government; or

(f) A person that holds a valid permit issued by the department pursuant to this part which authorizes that person to possess prescription drugs.

Section 30. Paragraphs (i) and (m) of subsection (1) of section 499.05, Florida Statutes, are amended to read:

499.05 Rules.—

(1) The department shall adopt rules to implement and enforce this part with respect to:

(i) Additional conditions that qualify as an emergency medical reason under s. 499.003(54)(53)(b)2.

(m) The recordkeeping, storage, and handling with respect to each of the distributions of prescription drugs specified in s. 499.003(54)(53)(a)-(d).

Section 31. Subsection (1) of section 794.075, Florida Statutes, is amended to read:

794.075 Sexual predators; erectile dysfunction drugs.—

(1) A person may not possess a prescription drug, as defined in s. 499.003(43)(42), for the purpose of treating erectile dysfunction if the person is designated as a sexual predator under s. 775.21.

TITLE AMENDMENT

Remove line 125 and insert:

by practitioners licensed under ch. 466, F.S.; amending s. 499.003, F.S.; defining the term "medical convenience kit" for purposes of the Florida Drug and Cosmetic Act; conforming cross-references; amending ss. 409.9201, 465.0265, 499.0121, 499.01211, 499.03, 499.05, and 794.075, F.S.; conforming cross-references; amending s.

Rep. Flores moved the adoption of the amendment, which was adopted.

Further consideration of CS/CS/HB 1503 was temporarily postponed.

CS/CS/CS/HB 311—A bill to be entitled An act relating to debt settlement services; providing a directive to the Division of Statutory Revision; creating s. 559.101, F.S.; providing a short title; creating s. 559.102, F.S.; providing definitions; creating s. 559.103, F.S.; providing the powers of the Office of Financial Regulation; creating s. 559.104, F.S.; authorizing the Financial

Services Commission to adopt rules; creating s. 559.105, F.S.; providing exceptions from the applicability of provisions regulating debt settlement services; providing an exception for attorneys representing clients; creating s. 559.106, F.S.; requiring debt settlement organizations to be registered with the office; providing a registration fee; requiring background screening of applicants and control persons; providing grounds for registration issuance or denial; requiring annual renewal; creating s. 559.107, F.S.; requiring registration renewal; creating s. 559.108, F.S.; requiring a debt settlement organization to obtain certain insurance coverage and a surety bond and to provide proof of such bond to the office; creating s. 559.109, F.S.; requiring a debt settlement organization to maintain records; creating s. 559.111, F.S.; requiring a debt settlement organization to prepare a financial analysis for the debtor; providing for service contracts; requiring certain provisions to be included in such contracts; requiring the debt settlement organization to provide the debtor with copies of all signed documents; creating s. 559.112, F.S.; prohibiting certain acts by debt settlement organizations; providing penalties; creating s. 559.113, F.S.; providing for debtor complaints to the office; providing procedures and office duties, including administrative penalties; creating s. 559.114, F.S.; providing for the issuance of subpoenas by the office; creating s. 559.115, F.S.; authorizing the office to issue cease and desist orders; creating s. 559.116, F.S.; declaring that violations of the part are deceptive and unfair trade practices; providing administrative penalties; specifying violations that result in criminal penalties; amending s. 516.07, F.S.; conforming a cross-reference; repealing ss. 559.10, 559.11, 559.12, and 559.13, F.S., relating to budget planning; providing an appropriation and authorizing additional positions; providing effective dates.

—was read the second time by title.

Representative Hudson offered the following:

(Amendment Bar Code: 553027)

Amendment 1—Remove lines 459-486 and insert:

(c) A fee or contribution for debt settlement services that exceeds 18 percent of the total enrolled debt. Such fees or contributions may only be collected by apportioning the collection of the fees or contributions pro rata throughout at least one-half of the estimated duration of the debt settlement services. Such fees or contributions are not a part of, and may not be included in the calculation of, the total enrolled debt.

Rep. Hudson moved the adoption of the amendment.

Representative Hudson offered the following:

(Amendment Bar Code: 429371)

Substitute Amendment 1—Remove lines 459-486 and insert:

(c) A fee or contribution for debt settlement services that exceeds 40 percent of the realized savings. As used in this paragraph, the term "realized savings" means the difference between the amount of the enrolled debt and the amount paid to the creditor in discharge of the enrolled debt. However, such fee or contribution collected for debt settlement services, in the aggregate, may not exceed 20 percent of the enrolled debt. (d) For a service contract requiring payment of a fee or contribution on a monthly basis, a fee or contribution for debt settlement services that exceeds 20 percent of the enrolled debt. Such fees or contributions may only be collected under this paragraph by apportioning the collection of the fees or contributions pro rata throughout at least one-half of the estimated term of the debt settlement services.

A fee or contribution authorized under this subsection is not a part of, and may not be included in the calculation of, the total enrolled debt.

Rep. Hudson moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 325—A bill to be entitled An act relating to uniform traffic control; providing a short title; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0076, F.S.; preempting to the state the use of cameras to enforce traffic laws; amending s. 316.008, F.S.; authorizing counties and municipalities to use traffic infraction detectors under certain circumstances; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use a traffic infraction detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring authorization of a traffic infraction enforcement officer to issue and enforce a citation for such violation; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; requiring the notification to include certain information about the owner's right to review evidence; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; prohibiting a traffic infraction enforcement officer from receiving a commission from any revenue collected from violations detected through the use of a traffic infraction detector; providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; prohibiting the use of such detectors to enforce a violation when a driver fails to stop prior to making a right or left turn; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor and Legislature; amending s. 316.0745, F.S.; revising a provision that requires certain remotely operated traffic control devices to meet certain specifications; creating s. 316.07456, F.S.; requiring traffic infraction detectors to meet specifications established by the Department of Transportation; providing that a traffic infraction detector acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before a specified date is not required to meet the established specifications until a specified date; creating s. 316.0776, F.S.; providing for the placement and installation of detectors on certain roads when permitted by and under the specifications of the department; requiring that if the state, county, or municipality installs a traffic infraction detector at an intersection, the state, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection; requiring that such signage posted at the intersection meet the specifications for uniform signals and devices adopted by the Department of Transportation; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; requiring a public awareness campaign if such detectors are to be used; amending s. 316.640, F.S.; requiring the Department of Transportation to develop training and qualification standards for traffic infraction enforcement officers; authorizing counties and municipalities to use independent contractors as traffic infraction enforcement officers; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop at a traffic control signal steady red light to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; prohibiting the receipt of commissions by traffic infraction enforcement officers; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver's license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing an effective date.

—was read the second time by title.

Representative Reagan offered the following:

(Amendment Bar Code: 471233)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Mark Wandall Traffic Safety Act."

Section 2. Subsection (86) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(86) TRAFFIC INFRACTION DETECTOR.—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

Section 3. Section 316.0076, Florida Statutes, is created to read:

316.0076 Regulation and use of cameras.—Regulation of the use of cameras for enforcing the provisions of this chapter is expressly preempted to the state. The regulation of the use of cameras for enforcing the provisions of this chapter is not required to comply with provisions of chapter 493.

Section 4. Subsection (7) is added to section 316.008, Florida Statutes, to read:

316.008 Powers of local authorities.—

(7)(a) A county or municipality may use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on streets and highways under their jurisdiction under s. 316.0083. Only a municipality may install or authorize the installation of any such detectors within the incorporated area of the municipality. Only a county may install or authorize the installation of any such detectors within the unincorporated area of the county.

(b) Pursuant to paragraph (a), a municipality may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the incorporated area of the municipality, and a county may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the unincorporated area of the county.

Section 5. Section 316.0083, Florida Statutes, is created to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

(1)(a) For purposes of administering this section, the department, a county, or a municipality may authorize a traffic infraction enforcement officer under s. 316.640 to issue a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible. This paragraph does not prohibit a review of information from a traffic infraction detector by an authorized employee or agent of the department, a county, or a municipality before issuance of the traffic citation by the traffic infraction enforcement officer. This paragraph does not prohibit the department, a county, or a municipality from issuing notification as provided in paragraph (b) to the registered owner of the motor vehicle involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

(b)1.a. Within 30 days after a violation, notification must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available under s. 318.14 and that the violator must pay the penalty of \$158 to the department, county, or municipality, or furnish an affidavit in accordance with paragraph (d), within 30 days following the date of the notification in order to avoid court fees, costs, and the issuance of a traffic citation. The notification shall be sent by first-class mail.

b. Included with the notification to the registered owner of the motor vehicle involved in the infraction must be a notice that the owner has the

right to review the photographic or electronic images and the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time and place or Internet location where the evidence may be examined and observed.

2. Penalties assessed and collected by the department, county, or municipality authorized to collect the funds provided for in this paragraph, less the amount retained by the county or municipality pursuant to subparagraph 3., shall be paid into the State Treasury weekly. Payment by the department, county, or municipality to the state shall be made by means of electronic funds transfers. A county or municipality shall only pay to the State Treasury that portion of the funds not to be retained by the county or municipality pursuant to subparagraph 3.

3. Penalties to be assessed and collected by the department, county, or municipality are as follows:

a. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforcement is by the department's traffic infraction enforcement officer. One hundred dollars shall be deposited into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$45 shall be distributed to the municipality in which the violation occurred, or, if the violation occurred in an unincorporated area, to the county in which the violation occurred. Funds deposited into the Department of Health Administrative Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

b. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforcement is by a county or municipal traffic infraction enforcement officer. Seventy dollars shall be remitted by the county or municipality to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be retained by the county or municipality enforcing the ordinance enacted pursuant to this section. Funds deposited into the Department of Health Administrative Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

4. An individual may not receive a commission from any revenue collected from violations detected through the use of a traffic infraction detector. A manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued due to a traffic infraction detector enforcement system.

(c)1.a. A traffic citation issued under this section shall be issued by mailing the traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation when payment has not been made within 30 days after notification under subparagraph (b)1.

b. Delivery of the traffic citation constitutes notification under this paragraph.

c. In the case of joint ownership of a motor vehicle, the traffic citation shall be mailed to the first name appearing on the registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.

d. The traffic citation shall be mailed to the registered owner of the motor vehicle involved in the violation no later than 60 days after the date of the violation.

2. Included with the notification to the registered owner of the motor vehicle involved in the infraction shall be a notice that the owner has the right to review, either in person or remotely, the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time

and place or Internet location where the evidence may be examined and observed.

(d)1. The owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal, unless the owner can establish that:

a. The motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;

b. The motor vehicle passed through the intersection at the direction of a law enforcement officer;

c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person; or

d. A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.

2. In order to establish such facts, the owner of the motor vehicle shall, within 30 days after the date of issuance of the traffic citation, furnish to the appropriate governmental entity an affidavit setting forth detailed information supporting an exemption as provided in this paragraph.

a. An affidavit supporting an exemption under sub-subparagraph 1.c. must include the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the vehicle was stolen at the time of the alleged offense, the affidavit must include the police report indicating that the vehicle was stolen.

b. If a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

3. Upon receipt of an affidavit, the person designated as having care, custody, and control of the motor vehicle at the time of the violation may be issued a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased vehicle for which a traffic citation is issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal is not responsible for paying the traffic citation and is not required to submit an affidavit as specified in this subsection if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

4. The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e) The photographic or electronic images or streaming video attached to or referenced in the traffic citation is evidence that a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal has occurred and is admissible in any proceeding to enforce this section and raises a rebuttable presumption that the motor vehicle named in the report or shown in the photographic or electronic images or streaming video evidence was used in violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal.

(2) A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible.

(3) This section supplements the enforcement of s. 316.074(1) or s. 316.075(1)(c)1. by law enforcement officers when a driver fails to stop at a traffic signal and does not prohibit a law enforcement officer from issuing a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal in accordance with normal traffic enforcement techniques.

(4)(a) Each county or municipality that operates a traffic infraction detector shall submit a report by October 1, 2012, and annually thereafter, to the department which details the results of using the traffic infraction detector and the procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include statistical data and information required by the department to complete the report required under paragraph (b).

(b) On or before December 31, 2012, and annually thereafter, the department shall provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use and operation of traffic infraction detectors under this section, along with the department's recommendations and any necessary legislation. The summary report must include a review of the information submitted to the department by the counties and municipalities and must describe the enhancement of the traffic safety and enforcement programs.

Section 6. Subsection (6) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(6) Any system of traffic control devices controlled and operated from a remote location by electronic computers or similar devices must ~~shall~~ meet all requirements established for the uniform system, and, if where ~~where~~ such a system affects ~~systems affect~~ the movement of traffic on state roads, the design of the system shall be reviewed and approved by the Department of Transportation.

Section 7. Section 316.07456, Florida Statutes, is created to read:

316.07456 Transitional implementation.—Any traffic infraction detector deployed on the highways, streets, and roads of this state must meet specifications established by the Department of Transportation, and must be tested at regular intervals according to specifications prescribed by the Department of Transportation. The Department of Transportation must establish such specifications on or before December 31, 2010. However, any such equipment acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before July 1, 2011, or equipment used to enforce an ordinance enacted by a county or municipality on or before July 1, 2011, is not required to meet the specifications established by the Department of Transportation until July 1, 2011.

Section 8. Section 316.0776, Florida Statutes, is created to read:

316.0776 Traffic infraction detectors: placement and installation.—

(1) Traffic infraction detectors are allowed on state roads when permitted by the Department of Transportation and under placement and installation specifications developed by the Department of Transportation. Traffic infraction detectors are allowed on streets and highways under the jurisdiction of counties or municipalities in accordance with placement and installation specifications developed by the Department of Transportation.

(2)(a) If the department, county, or municipality installs a traffic infraction detector at an intersection, the department, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection and must specifically include notification of camera enforcement of violations concerning right turns. Such signage used to notify the public must meet the specifications for uniform signals and devices adopted by the Department of Transportation pursuant to s. 316.0745.

(b) If the department, county, or municipality begins a traffic infraction detector program in a county or municipality that has never conducted such a program, the respective department, county, or municipality shall also make a public announcement and conduct a public awareness campaign of the proposed use of traffic infraction detectors at least 30 days before commencing the enforcement program.

Section 9. Paragraph (b) of subsection (1) and subsection (5) of section 316.640, Florida Statutes, are amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(1) STATE.—

(b)1. The Department of Transportation has authority to enforce on all the streets and highways of this state all laws applicable within its authority.

2.a. The Department of Transportation shall develop training and qualifications standards for toll enforcement officers whose sole authority is to enforce the payment of tolls pursuant to s. 316.1001. Nothing in this subparagraph shall be construed to permit the carrying of firearms or other weapons, nor shall a toll enforcement officer have arrest authority.

b. For the purpose of enforcing s. 316.1001, governmental entities, as defined in s. 334.03, which own or operate a toll facility may employ independent contractors or designate employees as toll enforcement officers; however, any such toll enforcement officer must successfully meet the training and qualifications standards for toll enforcement officers established by the Department of Transportation.

3. For the purpose of enforcing s. 316.0083, the department may designate employees as traffic infraction enforcement officers. A traffic infraction enforcement officer must successfully complete instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but may not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. This subparagraph does not authorize the carrying of firearms or other weapons by a traffic infraction enforcement officer and does not authorize a traffic infraction enforcement officer to make arrests. The department's traffic infraction enforcement officers must be physically located in the state.

(5)(a) Any sheriff's department or police department of a municipality may employ, as a traffic infraction enforcement officer, any individual who successfully completes instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but who does not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. Any such traffic infraction enforcement officer who observes the commission of a traffic infraction or, in the case of a parking infraction, who observes an illegally parked vehicle may issue a traffic citation for the infraction when, based upon personal investigation, he or she has reasonable and probable grounds to believe that an offense has been committed which constitutes a noncriminal traffic infraction as defined in s. 318.14. In addition, any such traffic infraction enforcement officer may issue a traffic citation under s. 316.0083. For purposes of enforcing s. 316.0083, any sheriff's department or police department of a municipality may designate employees as traffic infraction enforcement officers. The traffic infraction enforcement officers must be physically located in the county of the respective sheriff's or police department.

(b) The traffic infraction enforcement officer shall be employed in relationship to a selective traffic enforcement program at a fixed location or as part of a crash investigation team at the scene of a vehicle crash or in other types of traffic infraction enforcement under the direction of a fully qualified law enforcement officer; however, it is not necessary that the traffic infraction enforcement officer's duties be performed under the immediate supervision of a fully qualified law enforcement officer.

(c) This subsection does not permit the carrying of firearms or other weapons, nor do traffic infraction enforcement officers have arrest authority other than the authority to issue a traffic citation as provided in this subsection.

Section 10. Subsection (3) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(3)(a) Except for a traffic citation issued pursuant to s. 316.1001 or s. 316.0083, each traffic enforcement officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any municipality or town, shall deposit the original traffic citation or, in the case of a traffic enforcement agency that has an automated citation issuance system, the chief administrative officer shall provide by an electronic transmission a replica of the citation data to a court having jurisdiction over the alleged offense or with its traffic violations bureau within 5 days after issuance to the violator.

(b) If a traffic citation is issued pursuant to s. 316.1001, a traffic enforcement officer may deposit the original traffic citation or, in the case of a traffic enforcement agency that has an automated citation system, may provide by an electronic transmission a replica of the citation data to a court having jurisdiction over the alleged offense or with its traffic violations bureau within 45 days after the date of issuance of the citation to the violator. If the person cited for the violation of s. 316.1001 makes the election provided by s. 318.14(12) and pays the \$25 fine, or such other amount as imposed by the governmental entity owning the applicable toll facility, plus the amount of the unpaid toll that is shown on the traffic citation directly to the

governmental entity that issued the citation, or on whose behalf the citation was issued, in accordance with s. 318.14(12), the traffic citation will not be submitted to the court, the disposition will be reported to the department by the governmental entity that issued the citation, or on whose behalf the citation was issued, and no points will be assessed against the person's driver's license.

(c) If a traffic citation is issued under s. 316.0083, the traffic infraction enforcement officer shall provide by electronic transmission a replica of the traffic citation data to the court having jurisdiction over the alleged offense or its traffic violations bureau within 5 days after the date of issuance of the traffic citation to the violator.

Section 11. Subsection (2) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(2) Except as provided in ss. ~~316.1001(2)~~ and 316.0083, any person cited for an infraction under this section must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18.

Section 12. Subsection (15) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(15)(a)1. One hundred ~~fifty-eight~~ ~~twenty-five~~ dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal. Sixty dollars shall be distributed as provided in s. 318.21, \$30 shall be distributed to the General Revenue Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and the remaining \$65 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund of the Department of Health. Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

2. One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by the department's traffic infraction enforcement officer. One hundred and three dollars shall be distributed to the General Revenue Fund, \$45 shall be distributed to the county for any violations occurring in any unincorporated areas of the county or to the municipality for any violations occurring in the incorporated boundaries of the municipality in which the infraction occurred, and \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund for distribution as provided in s. 395.4036(1).

3. One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a county's or municipality's traffic infraction enforcement officer. Seventy five dollars shall be distributed to the county or municipality issuing the traffic citation, \$73 shall be distributed to the General Revenue Fund, and \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund for distribution as provided in s. 395.4036(1).

(b) One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforced by a traffic infraction enforcement officer pursuant to s. 316.0083. Moneys collected pursuant to enforcement under s. 316.0083 shall be distributed as provided in that section.

(c) If a person who is cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as enforced by a traffic infraction enforcement officer under s. 316.0083, presents documentation from the appropriate governmental entity that the traffic citation was in error, the clerk of court may dismiss the case. The clerk of court shall not charge for this service.

(d) An individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector. A manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued due to a traffic infraction detector enforcement system.

(e) Funds deposited into the Department of Health Administrative Trust Fund under this subsection shall be distributed as provided in s. 395.4036(1).

Section 13. Section 321.50, Florida Statutes, is created to read:

321.50 Authorization to use traffic infraction detectors.—The Department of Highway Safety and Motor Vehicles is authorized to use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop on state roads as defined in chapter 316 which are under the original jurisdiction of the Department of Transportation, when permitted by the Department of Transportation, and under s. 316.0083.

Section 14. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke license.—

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of s. 403.413(6)(b), amounting to 12 or more points as determined by the point system. The suspension shall be for a period of not more than 1 year.

(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.
2. Leaving the scene of a crash resulting in property damage of more than \$50—6 points.
3. Unlawful speed resulting in a crash—6 points.
4. Passing a stopped school bus—4 points.
5. Unlawful speed:
 - a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.
 - b. In excess of 15 miles per hour of lawful or posted speed—4 points.
6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, no points shall be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.

7. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, no points shall be imposed for a violation of s. 316.0741 or s. 316.2065(12).

8. Any moving violation covered above, excluding unlawful speed, resulting in a crash—4 points.

9. Any conviction under s. 403.413(6)(b)—3 points.

10. Any conviction under s. 316.0775(2)—4 points.

Section 15. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 16. This act shall take effect July 1, 2010.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to uniform traffic control; providing a short title; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0076, F.S.; preempting to the state the use of cameras to enforce traffic laws; amending s. 316.008, F.S.; authorizing counties and municipalities to use traffic infraction detectors under certain circumstances; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use a traffic infraction

detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring authorization of a traffic infraction enforcement officer to issue and enforce a citation for such violation; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; requiring the notification to include certain information about the owner's right to review evidence; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; prohibiting the use of such detectors to enforce a violation when a driver fails to stop prior to making a right or left turn; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor and Legislature; amending s. 316.0745, F.S.; revising a provision that requires certain remotely operated traffic control devices to meet certain specifications; creating s. 316.07456, F.S.; requiring traffic infraction detectors to meet specifications established by the Department of Transportation; providing that a traffic infraction detector acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before a specified date is not required to meet the established specifications until a specified date; creating s. 316.0776, F.S.; providing for the placement and installation of detectors on certain roads when permitted by and under the specifications of the department; requiring that if the state, county, or municipality installs a traffic infraction detector at an intersection, the state, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection; requiring that such signage posted at the intersection meet the specifications for uniform signals and devices adopted by the Department of Transportation; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; requiring a public awareness campaign if such detectors are to be used; amending s. 316.640, F.S.; requiring the Department of Transportation to develop training and qualification standards for traffic infraction enforcement officers; authorizing counties and municipalities to use independent contractors as traffic infraction enforcement officers; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop at a traffic control signal steady red light to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver's license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing an effective date.

Rep. Reagan moved the adoption of the amendment.

Representative Reagan offered the following:

(Amendment Bar Code: 025103)

Amendment 1 to Amendment 1—Remove lines 469-474 and insert:

(b) One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforced by a traffic infraction enforcement officer pursuant to s. 316.0083. Seventy dollars shall be remitted by the county or municipality to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be retained by the county or municipality enforcing the ordinance enacted pursuant to this section. Funds deposited into the Department of Health Administrative Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

Rep. Reagan moved the adoption of the amendment to the amendment, which was adopted.

Representative Bernard offered the following:

(Amendment Bar Code: 828069)

Substitute Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Mark Wandall Traffic Safety Act."

Section 2. Subsection (86) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(86) TRAFFIC INFRACTION DETECTOR.—A vehicle sensor installed to work in conjunction with a traffic control signal and a camera or cameras synchronized to automatically record two or more sequenced photographic or electronic images or streaming video of only the rear of a motor vehicle at the time the vehicle fails to stop behind the stop bar or clearly marked stop line when facing a traffic control signal steady red light. Any notification under s. 316.0083(1)(b) or traffic citation issued by the use of a traffic infraction detector must include a photograph or other recorded image showing both the license tag of the offending vehicle and the traffic control device being violated.

Section 3. Section 316.0076, Florida Statutes, is created to read:

316.0076 Regulation and use of cameras.—Regulation of the use of cameras for enforcing the provisions of this chapter is expressly preempted to the state. The regulation of the use of cameras for enforcing the provisions of this chapter is not required to comply with provisions of chapter 493.

Section 4. Subsection (7) is added to section 316.008, Florida Statutes, to read:

316.008 Powers of local authorities.—

(7)(a) A county or municipality may use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on streets and highways under their jurisdiction under s. 316.0083. Only a municipality may install or authorize the installation of any such detectors within the incorporated area of the municipality. Only a county may install or authorize the installation of any such detectors within the unincorporated area of the county.

(b) Pursuant to paragraph (a), a municipality may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the incorporated area of the municipality, and a county may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the unincorporated area of the county.

(c)1. A county or municipality may not install or cause to be installed traffic infraction detectors pursuant to this act unless such installation is

approved in a referendum by the majority of votes cast by those persons eligible to vote in such referendum. Notice of such referendum shall be provided in accordance with s. 100.342. The election costs of the referendum shall be paid in whole out of the county or municipal treasury.

2. The department may not install or cause to be installed traffic infraction detectors in a county or municipality pursuant to this act unless such installation is approved in a referendum by the majority of votes cast by those persons who are eligible to vote in such referendum in the county or municipality in which the traffic infraction detectors are to be installed. Notice of such referendum shall be provided in accordance with s. 100.342. The election costs of the referendum shall be paid in whole by the county or municipality.

3. All laws that are applicable to general elections are applicable to elections under this act, except as provided in this act. A county or municipality is not required to offer early voting for a referendum under this act. The places for voting in a referendum under this act shall be the same as the places for voting in general elections when the referendum is held in a county; however, when a referendum under this act is held in a municipality, the polling places shall be the same as in other municipal elections.

Section 5. Section 316.0083, Florida Statutes, is created to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

(1)(a) For purposes of administering this section, the department, a county, or a municipality may authorize a traffic infraction enforcement officer under s. 316.640 to issue a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible. This paragraph does not prohibit a review of information from a traffic infraction detector by an authorized employee or agent of the department, a county, or a municipality before issuance of the traffic citation by the traffic infraction enforcement officer. This paragraph does not prohibit the department, a county, or a municipality from issuing notification as provided in paragraph (b) to the registered owner of the motor vehicle involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

(b)1.a. Within 30 days after a violation, notification must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available under s. 318.14 and that the violator must pay the penalty of \$158 to the department, county, or municipality, or furnish an affidavit in accordance with paragraph (d), within 30 days following the date of the notification in order to avoid court fees, costs, and the issuance of a traffic citation. The notification shall be sent by first-class mail.

b. Included with the notification to the registered owner of the motor vehicle involved in the infraction must be a notice that the owner has the right to review the photographic or electronic images and the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time and place or Internet location where the evidence may be examined and observed.

2. Penalties assessed and collected by the department, county, or municipality authorized to collect the funds provided for in this paragraph, less the amount retained by the county or municipality pursuant to subparagraph 3., shall be paid into the State Treasury weekly. Payment by the department, county, or municipality to the state shall be made by means of electronic funds transfers. A county or municipality shall only pay to the State Treasury that portion of the funds not to be retained by the county or municipality pursuant to subparagraph 3.

3. Penalties to be assessed and collected by the department, county, or municipality are as follows:

a. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforcement is by the department's traffic infraction enforcement officer. One hundred dollars shall be deposited into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$45 shall be distributed to the municipality in which the violation occurred, or, if the violation occurred in an unincorporated area, to the county in which the violation occurred. Funds deposited into the Department of Health

Administrative Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

b. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforcement is by a county or municipal traffic infraction enforcement officer. Seventy dollars shall be remitted by the county or municipality to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be retained by the county or municipality enforcing the ordinance enacted pursuant to this section. Funds deposited into the Department of Health Administrative Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

4. An individual may not receive a commission from any revenue collected from violations detected through the use of a traffic infraction detector. A manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued due to a traffic infraction detector enforcement system.

(c)1.a. A traffic citation issued under this section shall be issued by mailing the traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation when payment has not been made within 30 days after notification under subparagraph (b)1.

b. Delivery of the traffic citation constitutes notification under this paragraph.

c. In the case of joint ownership of a motor vehicle, the traffic citation shall be mailed to the first name appearing on the registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.

d. The traffic citation shall be mailed to the registered owner of the motor vehicle involved in the violation no later than 60 days after the date of the violation.

2. Included with the notification to the registered owner of the motor vehicle involved in the infraction shall be a notice that the owner has the right to review, either in person or remotely, the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time and place or Internet location where the evidence may be examined and observed.

(d)1. The owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal, unless the owner can establish that:

a. The motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;

b. The motor vehicle passed through the intersection at the direction of a law enforcement officer;

c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person; or

d. A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.

2. In order to establish such facts, the owner of the motor vehicle shall, within 30 days after the date of issuance of the traffic citation, furnish to the appropriate governmental entity an affidavit setting forth detailed information supporting an exemption as provided in this paragraph.

a. An affidavit supporting an exemption under sub-subparagraph 1.c. must include the name, address, date of birth, and, if known, the driver's license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the vehicle was stolen at the time of the alleged offense, the affidavit must include the police report indicating that the vehicle was stolen.

b. If a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

3. Upon receipt of an affidavit, the person designated as having care, custody, and control of the motor vehicle at the time of the violation may be issued a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased vehicle for which a traffic citation is issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal is not responsible for paying the traffic citation and is not required to submit an affidavit as specified in this subsection if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

4. The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e) The photographic or electronic images or streaming video attached to or referenced in the traffic citation is evidence that a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal has occurred and is admissible in any proceeding to enforce this section and raises a rebuttable presumption that the motor vehicle named in the report or shown in the photographic or electronic images or streaming video evidence was used in violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal.

(2) A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection where right-hand turns are permissible.

(3) This section supplements the enforcement of s. 316.074(1) or s. 316.075(1)(c)1. by law enforcement officers when a driver fails to stop at a traffic signal and does not prohibit a law enforcement officer from issuing a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal in accordance with normal traffic enforcement techniques.

(4)(a) Each county or municipality that operates a traffic infraction detector shall submit a report by October 1, 2012, and annually thereafter, to the department which details the results of using the traffic infraction detector and the procedures for enforcement for the preceding state fiscal year. The information submitted by the counties and municipalities must include statistical data and information required by the department to complete the report required under paragraph (b).

(b) On or before December 31, 2012, and annually thereafter, the department shall provide a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the use and operation of traffic infraction detectors under this section, along with the department's recommendations and any necessary legislation. The summary report must include a review of the information submitted to the department by the counties and municipalities and must describe the enhancement of the traffic safety and enforcement programs.

Section 6. Subsection (6) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(6) Any system of traffic control devices controlled and operated from a remote location by electronic computers or similar devices must ~~shall~~ meet all requirements established for the uniform system, and, ~~if where~~ such a system ~~affects systems affect~~ the movement of traffic on state roads, the design of the system shall be reviewed and approved by the Department of Transportation.

Section 7. Section 316.07456, Florida Statutes, is created to read:

316.07456 Transitional implementation.—

(1) Any traffic infraction detector deployed on the highways, streets, and roads of this state must meet specifications established by the Department of Transportation, and must be tested at regular intervals according to specifications prescribed by the Department of Transportation. The Department of Transportation must establish such specifications on or before December 31, 2010. However, any such equipment acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before July 1, 2011, or equipment used to enforce an

ordinance enacted by a county or municipality on or before July 1, 2011, is not required to meet the specifications established by the Department of Transportation until July 1, 2011.

(2) Notwithstanding subsection (1), a county or municipality shall not use any existing traffic infraction detector until such use is approved by referendum in the manner provided by s. 316.008(7)(c). Such referendum must be held no later than the county's or municipality's next general election.

Section 8. Section 316.0776, Florida Statutes, is created to read:

316.0776 Traffic infraction detectors; placement and installation.—

(1) Traffic infraction detectors are allowed on state roads when permitted by the Department of Transportation and under placement and installation specifications developed by the Department of Transportation. Traffic infraction detectors are allowed on streets and highways under the jurisdiction of counties or municipalities in accordance with placement and installation specifications developed by the Department of Transportation.

(2)(a) If the department, county, or municipality installs a traffic infraction detector at an intersection, the department, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection and must specifically include notification of camera enforcement of violations concerning right turns. Such signage used to notify the public must meet the specifications for uniform signals and devices adopted by the Department of Transportation pursuant to s. 316.0745.

(b) If the department, county, or municipality begins a traffic infraction detector program in a county or municipality that has never conducted such a program, the respective department, county, or municipality shall also make a public announcement and conduct a public awareness campaign of the proposed use of traffic infraction detectors at least 30 days before commencing the enforcement program.

Section 9. Paragraph (b) of subsection (1) and subsection (5) of section 316.640, Florida Statutes, are amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(1) STATE.—

(b)1. The Department of Transportation has authority to enforce on all the streets and highways of this state all laws applicable within its authority.

2.a. The Department of Transportation shall develop training and qualifications standards for toll enforcement officers whose sole authority is to enforce the payment of tolls pursuant to s. 316.1001. Nothing in this subparagraph shall be construed to permit the carrying of firearms or other weapons, nor shall a toll enforcement officer have arrest authority.

b. For the purpose of enforcing s. 316.1001, governmental entities, as defined in s. 334.03, which own or operate a toll facility may employ independent contractors or designate employees as toll enforcement officers; however, any such toll enforcement officer must successfully meet the training and qualifications standards for toll enforcement officers established by the Department of Transportation.

3. For the purpose of enforcing s. 316.0083, the department may designate employees as traffic infraction enforcement officers. A traffic infraction enforcement officer must successfully complete instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but may not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. This subparagraph does not authorize the carrying of firearms or other weapons by a traffic infraction enforcement officer and does not authorize a traffic infraction enforcement officer to make arrests. The department's traffic infraction enforcement officers must be physically located in the state.

(5)(a) Any sheriff's department or police department of a municipality may employ, as a traffic infraction enforcement officer, any individual who successfully completes instruction in traffic enforcement procedures and court presentation through the Selective Traffic Enforcement Program as approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program, but who does not necessarily otherwise meet the uniform minimum standards

established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers under s. 943.13. Any such traffic infraction enforcement officer who observes the commission of a traffic infraction or, in the case of a parking infraction, who observes an illegally parked vehicle may issue a traffic citation for the infraction when, based upon personal investigation, he or she has reasonable and probable grounds to believe that an offense has been committed which constitutes a noncriminal traffic infraction as defined in s. 318.14. In addition, any such traffic infraction enforcement officer may issue a traffic citation under s. 316.0083. For purposes of enforcing s. 316.0083, any sheriff's department or police department of a municipality may designate employees as traffic infraction enforcement officers. The traffic infraction enforcement officers must be physically located in the county of the respective sheriff's or police department.

(b) The traffic infraction enforcement officer shall be employed in relationship to a selective traffic enforcement program at a fixed location or as part of a crash investigation team at the scene of a vehicle crash or in other types of traffic infraction enforcement under the direction of a fully qualified law enforcement officer; however, it is not necessary that the traffic infraction enforcement officer's duties be performed under the immediate supervision of a fully qualified law enforcement officer.

(c) This subsection does not permit the carrying of firearms or other weapons, nor do traffic infraction enforcement officers have arrest authority other than the authority to issue a traffic citation as provided in this subsection.

Section 10. Subsection (3) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(3)(a) Except for a traffic citation issued pursuant to s. 316.1001 or s. 316.0083, each traffic enforcement officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any municipality or town, shall deposit the original traffic citation or, in the case of a traffic enforcement agency that has an automated citation issuance system, the chief administrative officer shall provide by an electronic transmission a replica of the citation data to a court having jurisdiction over the alleged offense or with its traffic violations bureau within 5 days after issuance to the violator.

(b) If a traffic citation is issued pursuant to s. 316.1001, a traffic enforcement officer may deposit the original traffic citation or, in the case of a traffic enforcement agency that has an automated citation system, may provide by an electronic transmission a replica of the citation data to a court having jurisdiction over the alleged offense or with its traffic violations bureau within 45 days after the date of issuance of the citation to the violator. If the person cited for the violation of s. 316.1001 makes the election provided by s. 318.14(12) and pays the \$25 fine, or such other amount as imposed by the governmental entity owning the applicable toll facility, plus the amount of the unpaid toll that is shown on the traffic citation directly to the governmental entity that issued the citation, or on whose behalf the citation was issued, in accordance with s. 318.14(12), the traffic citation will not be submitted to the court, the disposition will be reported to the department by the governmental entity that issued the citation, or on whose behalf the citation was issued, and no points will be assessed against the person's driver's license.

(c) If a traffic citation is issued under s. 316.0083, the traffic infraction enforcement officer shall provide by electronic transmission a replica of the traffic citation data to the court having jurisdiction over the alleged offense or its traffic violations bureau within 5 days after the date of issuance of the traffic citation to the violator.

Section 11. Subsection (2) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(2) Except as provided in ss. 316.1001(2) and 316.0083, any person cited for an infraction under this section must sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing and must indicate the applicable civil penalty established in s. 318.18.

Section 12. Subsection (15) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(15)(a)1. One hundred fifty-eight ~~twenty-five~~ dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal. Sixty dollars shall be distributed as provided in s. 318.21, \$30 shall be distributed to the General Revenue Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and the remaining \$65 shall be remitted to the Department of Revenue for deposit into the Administrative Trust Fund of the Department of Health. Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and shall be used for brain and spinal cord research.

2. One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by the department's traffic infraction enforcement officer. One hundred and three dollars shall be distributed to the General Revenue Fund, \$45 shall be distributed to the county for any violations occurring in any unincorporated areas of the county or to the municipality for any violations occurring in the incorporated boundaries of the municipality in which the infraction occurred, and \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund for distribution as provided in s. 395.4036(1).

3. One hundred and fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a county's or municipality's traffic infraction enforcement officer. Seventy five dollars shall be distributed to the county or municipality issuing the traffic citation, \$73 shall be distributed to the General Revenue Fund, and \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Administrative Trust Fund for distribution as provided in s. 395.4036(1).

(b) One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal if enforced by a traffic infraction enforcement officer pursuant to s. 316.0083. Moneys collected pursuant to enforcement under s. 316.0083 shall be distributed as provided in that section.

(c) If a person who is cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as enforced by a traffic infraction enforcement officer under s. 316.0083, presents documentation from the appropriate governmental entity that the traffic citation was in error, the clerk of court may dismiss the case. The clerk of court shall not charge for this service.

(d) An individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector. A manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued due to a traffic infraction detector enforcement system.

(e) Funds deposited into the Department of Health Administrative Trust Fund under this subsection shall be distributed as provided in s. 395.4036(1).

Section 13. Section 321.50, Florida Statutes, is created to read:

321.50 Authorization to use traffic infraction detectors.—The Department of Highway Safety and Motor Vehicles is authorized to use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop on state roads as defined in chapter 316 which are under the original jurisdiction of the Department of Transportation, when permitted by the Department of Transportation, and under s. 316.0083.

Section 14. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke license.—

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of s. 403.413(6)(b), amounting to 12 or

more points as determined by the point system. The suspension shall be for a period of not more than 1 year.

(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.
2. Leaving the scene of a crash resulting in property damage of more than \$50—6 points.
3. Unlawful speed resulting in a crash—6 points.
4. Passing a stopped school bus—4 points.
5. Unlawful speed:
 - a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.
 - b. In excess of 15 miles per hour of lawful or posted speed—4 points.
6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, no points shall be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.
7. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, no points shall be imposed for a violation of s. 316.0741 or s. 316.2065(12).
8. Any moving violation covered above, excluding unlawful speed, resulting in a crash—4 points.
9. Any conviction under s. 403.413(6)(b)—3 points.
10. Any conviction under s. 316.0775(2)—4 points.

Section 15. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 16. This act shall take effect July 1, 2010.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to uniform traffic control; providing a short title; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0076, F.S.; preempting to the state the use of cameras to enforce traffic laws; amending s. 316.008, F.S.; authorizing counties and municipalities to use traffic infraction detectors under certain circumstances; requiring a referendum; providing requirements for such referendum; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program; authorizing the Department of Highway Safety and Motor Vehicles, a county, or a municipality to use a traffic infraction detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring authorization of a traffic infraction enforcement officer to issue and enforce a citation for such violation; requiring notification to be sent to the registered owner of the motor vehicle involved in the violation; requiring the notification to include certain information about the owner's right to review evidence; providing requirements for the notification; providing for collection of penalties; providing for distribution of penalties collected; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued providing procedures for issuance, disposition, and enforcement of citations; providing for exemptions; providing that certain evidence is admissible for enforcement; providing penalties for submission of a false affidavit; prohibiting the use of such detectors to enforce a violation when a driver fails to stop prior to making a right or left turn; providing that the act does not preclude the issuance of citations by law enforcement officers; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor

and Legislature; amending s. 316.0745, F.S.; revising a provision that requires certain remotely operated traffic control devices to meet certain specifications; creating s. 316.07456, F.S.; requiring traffic infraction detectors to meet specifications established by the Department of Transportation; providing that a traffic infraction detector acquired by purchase, lease, or other arrangement under an agreement entered into by a county or municipality on or before a specified date is not required to meet the established specifications until a specified date; requiring a referendum for continued use of existing traffic infraction detectors; creating s. 316.0776, F.S.; providing for the placement and installation of detectors on certain roads when permitted by and under the specifications of the department; requiring that if the state, county, or municipality installs a traffic infraction detector at an intersection, the state, county, or municipality shall notify the public that a traffic infraction device may be in use at that intersection; requiring that such signage posted at the intersection meet the specifications for uniform signals and devices adopted by the Department of Transportation; requiring that traffic infraction detectors meet specifications established by the Department of Transportation; requiring a public awareness campaign if such detectors are to be used; amending s. 316.640, F.S.; requiring the Department of Transportation to develop training and qualification standards for traffic infraction enforcement officers; authorizing counties and municipalities to use independent contractors as traffic infraction enforcement officers; amending s. 316.650, F.S.; requiring a traffic enforcement officer to provide to the court a replica of the citation data by electronic transmission under certain conditions; amending s. 318.14, F.S.; providing an exception from provisions requiring a person cited for an infraction for failing to stop at a traffic control signal steady red light to sign and accept a citation indicating a promise to appear; amending s. 318.18, F.S.; increasing certain fines; providing for penalties for infractions enforced by a traffic infraction enforcement officer; providing for distribution of fines; allowing the clerk of court to dismiss certain cases upon receiving documentation that the uniform traffic citation was issued in error; providing that an individual may not receive a commission or per-ticket fee from any revenue collected from violations detected through the use of a traffic infraction detector and a manufacturer or vendor may not receive a fee or remuneration based upon the number of citations issued; creating s. 321.50, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to use traffic infraction detectors under certain circumstances; amending s. 322.27, F.S.; providing that no points may be assessed against the driver's license for infractions enforced by a traffic infraction enforcement officer; providing that infractions enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates; providing for severability; providing an effective date.

Rep. Bernard moved the adoption of the substitute amendment. Subsequently, **Substitute Amendment 1** was withdrawn.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion

Rep. Galvano moved that the House revert to the order of business of Bills and Joint Resolutions on Third Reading and take up **CS/HB 523**. The motion was agreed to.

Bills and Joint Resolutions on Third Reading

CS/HB 523—A bill to be entitled An act relating to the Florida Civil Rights Hall of Fame; creating s. 760.065, F.S.; providing legislative intent; providing for the establishment and location of the hall of fame; providing for the selection of hall-of-fame members by the Governor upon

recommendations by the Florida Commission on Human Relations; providing criteria for such recommendations; authorizing the commission to set time periods for the nomination and selection of hall-of-fame members; assigning responsibility for certain hall-of-fame costs; providing an effective date.

—was taken up, having been temporarily postponed earlier today, and read the third time by title. On passage, the vote was:

Session Vote Sequence: 893

Speaker Cretul in the Chair.

Yeas—112

Adams	Flores	Llorente	Rogers
Adkins	Ford	Long	Rouson
Ambler	Fresen	Lopez-Cantera	Sachs
Anderson	Frishe	Mayfield	Sands
Aubuchon	Gaetz	McBurney	Saunders
Bembry	Galvano	McKeel	Schenck
Bernard	Garcia	Murzin	Schultz
Bogdanoff	Gibbons	Nehr	Schwartz
Bovo	Gibson	Nelson	Skidmore
Boyd	Glorioso	O'Toole	Snyder
Brandenburg	Gonzalez	Pafford	Soto
Braynon	Grady	Patronis	Stargel
Brisé	Grimsley	Patterson	Steinberg
Bullard	Hasner	Plakon	Taylor
Burgin	Hays	Planas	Thompson, G.
Bush	Heller	Poppell	Thompson, N.
Cannon	Holder	Porth	Thurston
Carroll	Homan	Precourt	Tobia
Chestnut	Hooper	Proctor	Troutman
Clarke-Reed	Horner	Rader	Van Zant
Cretul	Hudson	Ray	Waldman
Crisafulli	Hukill	Reagan	Weatherford
Domino	Jenne	Reed	Weinstein
Dorworth	Jones	Rehwinkel Vasilinda	Williams, A.
Eisnaugle	Kelly	Rivera	Williams, T.
Evers	Kiar	Robaina	Wood
Fetterman	Kriseman	Roberson, K.	Workman
Fitzgerald	Legg	Roberson, Y.	Zapata

Nays—None

Votes after roll call:

Yeas—Coley, Cruz, Kreegel

So the bill passed and was immediately certified to the Senate.

On motion by Rep. A. Williams, the board was opened [Session Vote Sequence: 894] and the following members were recorded as cosponsors of the resolution, along with Reps. Carroll, A. Williams, Abruzzo, Bernard, Brandenburg, Braynon, Bullard, Chestnut, Ford, Jones, Kriseman, Nehr, Pafford, Rader, Reed, Rehwinkel Vasilinda, Rogers, Rouson, Sands, Soto, Steinberg, and Zapata: Reps. Adkins, Ambler, Anderson, Aubuchon, Bembry, Bogdanoff, Bovo, Brisé, Burgin, Bush, Cannon, Clarke-Reed, Cretul, Crisafulli, Cruz, Domino, Dorworth, Drake, Eisnaugle, Evers, Fetterman, Fitzgerald, Flores, Fresen, Frishe, Galvano, Garcia, Gibbons, Gibson, Glorioso, Gonzalez, Grady, Grimsley, Hasner, Hays, Heller, Holder, Homan, Hooper, Homer, Hudson, Hukill, Jenne, Kelly, Kiar, Legg, Long, Lopez-Cantera, Mayfield, McBurney, McKeel, Nelson, O'Toole, Patronis, Patterson, Plakon, Planas, Poppell, Porth, Precourt, Proctor, Ray, Reagan, Rivera, Robaina, K. Roberson, Y. Roberson, Sachs, Saunders, Schenck, Schultz, Schwartz, Skidmore, Snyder, Stargel, Taylor, G. Thompson, N. Thompson, Thurston, Tobia, Troutman, Waldman, Weatherford, Weinstein, T. Williams, Wood, and Workman.

Motion

Rep. Galvano moved that the House revert to the order of business of Special Orders. The motion was agreed to.

Special Orders

Remarks

The Speaker recognized Rep. Robaina, who made brief farewell remarks.

THE SPEAKER PRO TEMPORE IN THE CHAIR

HB 7017—A bill to be entitled An act relating to public records; amending s. 494.00125, F.S., and transferring, renumbering, and amending s. 494.0021, F.S.; creating an exemption from public records requirements for credit history information and credit scores held by the Office of Financial Regulation within the Department of Financial Services for purposes of licensing mortgage brokers and mortgage lenders; providing an exception to the exemption for other governmental entities having oversight, regulatory, or law enforcement authority; providing for future legislative review and repeal of the exemption; reorganizing provisions; transferring to the section the exemption from public records requirements for audited financial statements submitted pursuant to parts I, II, and III of ch. 494, F.S.; making editorial changes and removing superfluous language; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

On motion by Rep. Workman, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Workman offered the following:

(Amendment Bar Code: 738823)

Amendment 1 (with title amendment)—Remove lines 128-144 and insert:

licensing of loan originators, mortgage brokers, and mortgage lenders under ss. 494.001-494.0077, Florida Statutes, be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution. Credit history information and credit scores are sensitive and personal information. Disclosure of such information and scores could cause harm to the person who is the subject of the information. Such information could be defamatory and could cause unwarranted damage to the name or reputation of the person who is the subject of the information, especially if such information is inaccurate. Furthermore, access to such information could jeopardize the financial safety of the individual who is the subject of that information by placing the person at risk of becoming the object of identity theft. For these reasons it is the finding of the Legislature that credit history information and credit scores held by the Office of Financial Regulation and related to the licensing of loan originators, mortgage brokers, and mortgage lenders should be made confidential and

TITLE AMENDMENT

Remove line 8 and insert:

licensing loan originators, mortgage brokers, and mortgage lenders; providing

Rep. Workman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7019—A bill to be entitled An act relating to trust funds; creating s. 494.00173, F.S.; creating the Mortgage Guaranty Trust Fund within the Office of Financial Regulation of the Department of Financial Services; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

On motion by Rep. McKeel, **CS/HB 357** was temporarily postponed.

CS/HB 7109—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; providing legislative findings and declarations; revising and providing definitions; establishing a schedule for the Office of Tourism, Trade, and Economic Development to review and revise the list of target industries and submit a report to the Governor and Legislature; revising the criteria for evaluating applications for the program; requiring consideration of the state's return on investment in evaluating applications for participation in the program; requiring the Office of Economic and Demographic Research to submit reports to the Legislature evaluating the calculation of the state's return on investment for the program; requiring that additional provisions be included in tax refund agreements; redesignating the economic-stimulus exemption as the "economic recovery extension"; revising the date by which qualified target industry businesses may request economic recovery extensions; authorizing waiver of a requirement that qualified target industry businesses annually provide proof of taxes paid under certain conditions; requiring the Office of Tourism, Trade, and Economic Development to submit reports to the Governor and Legislature concerning the failure of qualified target industry businesses to complete their tax refund agreements; deleting obsolete provisions; revising the date by which a target industry business may be certified as qualified for the program; conforming cross-references; amending ss. 288.1089 and 290.00677, F.S.; conforming provisions to changes made by the act; amending ss. 159.803, 220.191, and 288.107, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1043—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; revising authorized uses of revenue received from the sale of the Sea Turtle license plate; creating the Go Green license plate and the Let's Go Surfing license plate; establishing annual use fees for the plates; providing for the distribution of use fees received from the sale of the plates; providing an effective date.

—was read the second time by title.

Representative Evers offered the following:

(Amendment Bar Code: 757325)

Amendment 1 (with directory and title amendments)—Between lines 19 and 20, insert:

(ttt) Preserving the Past license plate, \$25.

(uuu) Peace license plate, \$25.

Between lines 128 and 129, insert:

(72) PRESERVING THE PAST LICENSE PLATES.—

(a) The department shall develop a Preserving the Past license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Preserving the Past" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Toomey Foundation for the Natural Sciences, Inc., which shall retain 50 percent of the proceeds until the startup costs to develop and establish the plates have been recovered. Thereafter, the proceeds shall be used as follows:

1. A maximum of 25 percent of the proceeds may be used to fund the administrative, promotion, and marketing costs of the license plate program and the foundation.

2. The remaining fees shall be used by the foundation to acquire, manage, and preserve properties that are of scientific importance to paleontologists, archeologists, or geologists for the purposes of research and education and to promote and protect the unique natural sciences of this state.

(73) PEACE LICENSE PLATES.—

(a) The department shall develop a Peace license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Sunshine State" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Toomey Foundation for the Natural Sciences, Inc., which shall retain 50 percent of the proceeds until the startup costs to develop and establish the plates have been recovered. Thereafter, the proceeds shall be used as follows:

1. A maximum of 25 percent of the proceeds may be used to fund the administrative, promotion, and marketing costs of the license plate program and the foundation.

2. The remaining fees shall be used by the foundation to support educational, research, and scientific activities in this state, including the distribution of funds to qualified entities in furtherance of the stated purposes of the foundation.

DIRECTORY AMENDMENT

Remove line 13 and insert:

Section 1. Paragraphs (rrr), (sss), (ttt), and (uuu) are added to

Remove line 21 and insert:

Statutes, is amended, and subsections (70), (71), (72), and (73) are added to

TITLE AMENDMENT

Remove lines 5-6 and insert:

creating a Go Green license plate, a Let's Go Surfing license plate, a Preserving the Past license plate, and a Peace license plate; establishing annual use fees for

Rep. Evers moved the adoption of the amendment.

Representative Evers offered the following:

(Amendment Bar Code: 609393)

Amendment 1 to Amendment 1—Remove line 20 and insert:

1. A maximum of 10 percent of the proceeds may be used to

Remove line 39 and insert:

1. A maximum of 10 percent of the proceeds may be used to

Rep. Evers moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

On motion by Rep. Skidmore, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Skidmore offered the following:

(Amendment Bar Code: 813099)

Amendment 2 (with directory and title amendments)—Remove line 19

Remove lines 109-128

DIRECTORY AMENDMENT

Remove line 13 and insert:

Section 1. Paragraph (rrr) is added to

Remove line 21 and insert:

Statutes, is amended, and subsection (70) is added to

TITLE AMENDMENT

Remove lines 5-8 and insert:

creating the Go Green license plate; establishing annual use fees for the plate; providing for the distribution of use fees received from the sale of the plate; providing an

Rep. Skidmore moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 7209—A bill to be entitled An act relating to reorganization of the Public Service Commission; amending s. 20.121, F.S.; establishing the Office of Regulatory Staff within the Financial Services Commission; requiring the executive director of the Office of Regulatory Staff to meet specified requirements; providing that the executive director's appointment is subject to Senate confirmation; amending s. 112.324, F.S.; revising provisions for disposition of ethics complaints against the Public Counsel and employees of the Public Counsel; amending s. 186.801, F.S.; directing the commission to request assistance from the Office of Regulatory Staff to make a preliminary study of certain site plans submitted to the commission by electric utilities; amending s. 350.001, F.S.; revising legislative intent; amending s. 350.011, F.S.; prohibiting certain acts by commissioners and commission staff; repealing s. 350.012, F.S., relating to the creation and organization of the Committee on Public Counsel Oversight; amending s. 350.031, F.S.; revising requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring at least one commissioner to be a certified accountant practicing in the state; creating s. 350.035, F.S.; prohibiting attempts by certain persons to sway the judgment of commissioners; providing for the Commission on Ethics to investigate complaints of violations pursuant to specified procedures; amending s. 350.04, F.S.; providing requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring commissioners to complete a course of study developed by the executive director and general counsel of the Office of Regulatory Staff; requiring commissioners to complete continuing education; providing training requirements for commissioners and commission employees; requiring certifications of compliance to be provided to the Legislature; amending s. 350.041, F.S.; revising legislative intent; revising standards of conduct for commissioners; revising provisions for investigation and reports by the Commission on Ethics of alleged violations; authorizing commission employees and the executive director of the Office of Regulatory Staff to request opinions from the Commission on Ethics; amending s. 350.042, F.S.; revising provisions for communications concerning agency action proceedings and proceedings under specified provisions; providing for application of such provisions to commission employees; revising restrictions on such communications by commissioners and commission employees; defining the term "ex parte communication"; providing a civil penalty; amending s. 350.06, F.S.; revising provisions for the offices of the commission, payment of moneys, and employment of personnel; amending s. 350.0605, F.S.; restricting employment of a former executive director or former employee of the Office of Regulatory Staff; amending s. 350.061, F.S.; providing for appointment of the Public Counsel by, and service of the Public Counsel at the pleasure of, the Attorney General; amending ss. 350.0613 and 350.0614, F.S.; providing powers and duties of the Attorney General regarding the Public Counsel and his or her employees to conform provisions to the transfer of the Public Counsel; transferring the Office of Public Counsel from the legislative branch to the Office of the Attorney General; creating s. 350.071, F.S.; creating the Office of Regulatory Staff within the Financial Services Commission; providing for the office to be considered a party of record in all proceedings before the Public Service Commission; requiring the commission to notify the office of certain proceedings; providing purpose of the office; defining the term "public interest"; providing that the office is subject to certain provisions governing ex parte communications; creating s. 350.072, F.S.; providing for an executive director and employees of the office; providing duties and

responsibilities of the executive director; providing for submission of a budget to the Financial Services Commission; providing for the location, internal administration, and operation of the office; creating s. 350.073, F.S.; providing for appointment, term, qualifications, and salary of the executive director of the office; providing for application of specified provisions for standards of conduct; creating s. 350.074, F.S.; providing duties of the office; authorizing the office to intervene in certain proceedings; requiring the office to provide an annual report to the Legislature; directing the commission and the office to establish procedures by which the office may elect not to participate as a party in certain matters; transferring from the commission all powers, duties, functions, records, offices, personnel, property, pending issues, and existing contracts, administrative authority, administrative rules, and unexpended balances of funds not related to the duties and responsibilities of the commission to the office; creating s. 350.075, F.S.; authorizing the office to access certain books and records; amending s. 350.113, F.S.; revising authorized uses of the Florida Public Service Regulatory Trust Fund; amending s. 350.117, F.S.; authorizing the office to require reports; requiring a copy of any report provided to the commission to be provided to the office; authorizing the commission to request that the office perform management and operation audits of any regulated company; repealing s. 350.121, F.S., relating to commission inquiries and the confidentiality of business material; creating s. 350.122, F.S.; requiring persons testifying before the Public Service Commission to disclose certain financial and fiduciary relationships; providing that a determination by the commission that a violation occurred constitutes agency action for which a hearing may be sought; amending s. 364.016, F.S.; authorizing the office to assess a telecommunications company for certain travel costs; amending s. 364.02, F.S.; defining the term "office" as used in provisions relating to telecommunications companies; amending s. 364.15, F.S.; revising provisions authorizing the commission to compel changes to a telecommunications facility; amending s. 364.183, F.S.; providing that the office shall have access to certain records of a telecommunications company and may require a telecommunications company to file records, reports, or other data; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 364.185, F.S.; providing powers of the office to investigate and inspect telecommunications companies; removing such powers from the commission; amending s. 364.335, F.S.; revising the authority of the commission to institute a proceeding to determine whether the grant of a certificate of need concerning construction, operation, or control of a telecommunications facility is in the public interest; amending s. 364.3376, F.S.; providing for the office to conduct certain investigations; amending s. 364.3381, F.S.; revising the authority of the commission to investigate allegations of certain anticompetitive practices; amending s. 364.37, F.S.; revising the authority of the commission to make such order and prescribe such terms and conditions with respect to controversies concerning territory to be served by a telecommunications facility; amending s. 366.02, F.S.; defining the term "office" as used in provisions relating to public utilities; amending s. 366.05, F.S.; authorizing the office to make certain purchases for examinations and testing; providing that the office shall have access to certain records and may require records, reports, or other data; specifying limitations on the authority of the commission to access records; authorizing the office to assess a public utility for certain travel costs; amending ss. 366.06, 366.07, 366.071, and 366.076, F.S.; removing authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending s. 366.08, F.S.; providing powers of the office to investigate public utilities; removing such powers from the commission; amending s. 366.093, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 366.82, F.S.; revising the authority of the commission to require modifications or additions to a utility's plans and programs; amending s. 367.021, F.S.; defining the term "office" as used in provisions relating to water and wastewater utilities; amending s. 367.045, F.S.; requiring a water or wastewater utility to provide notice to the office when it applies for an initial or amended certificate of authorization; providing for an objection and a request for a public hearing by the office; requiring the commission to give notice of certain actions upon petition of the office; amending s. 367.081, F.S.;

revising the authority of the commission to fix rates of water and wastewater utilities or implement changes of such rates; amending s. 367.0814, F.S.; providing for a water or wastewater utility to request and obtain assistance from the office for the purpose of changing its rates and charges; revising the authority of the commission to authorize interim rates; directing the commission to request from the office any information necessary to complete a status report; amending ss. 367.0817, 367.082, 367.0822, and 367.083, F.S.; revising authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending s. 367.101, F.S.; providing that the commission shall, upon request, direct the office to investigate agreements or proposals for charges and conditions for service availability and report the results; amending s. 367.121, F.S.; revising powers of the commission; providing powers of the office; amending s. 367.122, F.S.; providing for the office to test meters; amending s. 367.145, F.S.; revising provisions for use of certain regulatory fees; amending s. 367.156, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 367.171, F.S.; revising provisions for jurisdiction of certain cases involving a utility that becomes subject to county regulation; amending s. 368.05, F.S., relating to gas transmission and distribution facilities; prohibiting the commission from initiating proceedings under specified provisions on its own motion; specifying limitations on the authority of the commission to access records; amending s. 368.061, F.S.; revising provisions for compromise of a civil penalty; revising the authority of the commission to initiate injunction proceedings; amending s. 368.103, F.S.; defining the term "office" as used in the "Natural Gas Transmission Pipeline Intrastate Regulatory Act"; amending ss. 368.106 and 368.107, F.S.; revising the authority of the commission to initiate certain proceedings or take certain actions concerning rates; amending s. 368.108, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 368.1085, F.S.; authorizing the office to assess a natural gas transmission company for certain travel costs; removing the authority of the commission to assess such costs; amending s. 368.109, F.S.; revising provisions for use of certain regulatory fees; amending ss. 403.519, 403.537, and 403.9422, F.S., relating to siting of electrical transmission lines; revising authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending ss. 196.012, 199.183, 212.08, 288.0655, 290.007, 364.602, 489.103, and 624.105, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Representative Precourt offered the following:

(Amendment Bar Code: 555489)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 350.001, Florida Statutes, is amended to read:

350.001 Legislative intent.—

(1) The Florida Public Service Commission has been and shall continue to be an arm of the legislative branch of government. In the exercise of its jurisdiction, the commission shall neither establish nor implement any regulatory policy that is contrary to, or is an expansion of, the authority granted to it by the Legislature.

(2) The Public Service Commission shall perform its duties independently, impartially, professionally, honorably, and without undue influence from any person.

(3) It is the desire of the Legislature that the Governor participate in the appointment process of commissioners to the Public Service Commission. The Legislature accordingly delegates to the Governor a limited authority with respect to the Public Service Commission by authorizing him or her to participate in the selection of members only in the manner prescribed by s. 350.031.

Section 2. Paragraphs (b) and (d) of subsection (1) and subsection (5) of section 350.031, Florida Statutes, are amended to read:

350.031 Florida Public Service Commission Nominating Council.—

(1)

(b) All terms shall be for 4 years except those members of the House and Senate, who shall serve 2-year terms concurrent with the 2-year elected terms of House members. ~~All terms of the members of the Public Service Commission Nominating Council existing on June 30, 2008, shall terminate upon the effective date of this act; however, such members may serve an additional term if reappointed by the Speaker of the House of Representatives or the President of the Senate.~~ To establish staggered terms, appointments of members shall be made for initial terms to begin on July 1, 2008, with each appointing officer to appoint three legislator members, one of whom shall be a member of the minority party, to terms through the remainder of the 2-year elected terms of House members; one nonlegislator member to a 6-month term; one nonlegislator member to an 18-month term; and one nonlegislator member to a 42-month term. Thereafter, the terms of the nonlegislator members of the Public Service Commission Nominating Council shall begin on January 2 of the year the term commences and end 4 years later on January 1.

(d) Vacancies on the council shall be filled for the unexpired portion of the term in the same manner as original appointments to the council. A member may not be reappointed to the council, except for a member of the House of Representatives or the Senate who may be appointed to two 2-year terms; ~~members who are reappointed pursuant to paragraph (b);~~ or a person who is appointed to fill the remaining portion of an unexpired term.

(5) A person may not be nominated to the Governor for appointment to the Public Service Commission until the council has determined that the person satisfies the qualifications set forth in s. 350.04 ~~is competent and knowledgeable in one or more fields, which shall include, but not be limited to: public affairs, law, economics, accounting, engineering, finance, natural resource conservation, energy, or another field substantially related to the duties and functions of the commission.~~ The commission shall fairly represent the ~~above stated~~ fields identified in s. 350.04(2); however, at least one commissioner shall be an accountant certified under the Public Accountancy Law in this state and practicing in this state. Recommendations of the council shall be nonpartisan.

Section 3. Section 350.035, Florida Statutes, is created to read:

350.035 Prohibited influence on commissioners and commission staff.—

(1)(a) Neither the Governor, the President of the Senate, the Speaker of the House of Representatives, nor a member of the Public Service Commission Nominating Council shall attempt to sway the independent judgment of the commission by bringing pressure to bear upon a commissioner or commission employee through that person's role in the nomination, appointment, or confirmation of commissioners.

(b) The Commission on Ethics shall receive and investigate sworn complaints of violations of this subsection pursuant to ss. 112.322-112.3241.

(2)(a) To ensure that each commissioner, as a member of a collegial body, is afforded the benefit of unbiased and independent analysis and advice from its professional and technical staff, an individual commissioner may not demand or require any member of the commission staff, other than the commissioner's direct staff, to develop, present, or pursue a particular opinion, position, or course of action in relation to any substantive matter pending before the commission or a panel of commissioners. This paragraph does not prohibit the commission, as a collegial body, from directing its staff to pursue a course of action consistent with direction provided by the collegial body. Further, this paragraph is not intended to prohibit an individual commissioner from any otherwise lawful communication with commission staff, including any expression of opinion, position, or concern regarding a matter within the jurisdiction of the commission. A violation of this subsection is an act of malfeasance for purposes of ss. 112.3187-112.31895.

(b) The inspector general of the commission shall receive and investigate complaints of violations of this subsection.

Section 4. Section 350.04, Florida Statutes, is amended to read:

350.04 Qualifications of commissioners; training and continuing education.—

(1) A commissioner may not, at the time of appointment or during his or her term of office:

(a)(4) Have any financial interest, other than ownership of shares in a mutual fund, in any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, in any public utility regulated by the commission, or in any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(b)(2) Be employed by or engaged in any business activity with any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, by any public utility regulated by the commission, or by any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(2) Each person recommended for appointment to the Public Service Commission by the Public Service Commission Nominating Council must:

(a) Have earned at least a baccalaureate degree from an institution of higher learning accredited by a regional or national accrediting body; and

(b) Possess a minimum of 10 years of professional experience, or a minimum of 6 years of professional experience if the person has earned an advanced degree, in one or more of the following:

1. Energy or electric industry issues.
2. Telecommunications issues.
3. Water and sewer industry issues.
4. Finance.
5. Economics.
6. Accounting.
7. Engineering.
8. Law.

(3) Notwithstanding subsection (2), the council may recommend a person for appointment to the commission if it determines that the person has professional experience of a quality and duration substantial enough to prepare the person to perform the duties of a public service commissioner and functionally equivalent to the standards set forth in subsection (2). The nomination of a person under this subsection who would not otherwise qualify for nomination under subsection (2) shall require a two-thirds vote of the council and shall be accompanied by a written justification for the nomination.

(4) Before voting on any matter before the commission, each person appointed to the commission after July 1, 2010, shall complete a comprehensive course of study, developed by the commission's executive director and general counsel in coordination with the National Association of Regulatory Utility Commissioners Subcommittee on Education and Research, that addresses the substantive matters within the jurisdiction of the commission, administrative law applicable to commission proceedings, and standards of conduct applicable to commissioners. Thereafter, each commissioner must annually complete no less than 10 hours of continuing professional education directly related to substantive matters within the jurisdiction of the commission.

(5) No less than once every 12 months, each commissioner and commission employee shall receive training, in a form developed by the commission's executive director and general counsel, that addresses the ethical standards of conduct applicable to commissioners and the commission's staff.

(6) The chair of the commission shall certify the commission's compliance with these requirements, and each commissioner shall certify his or her individual compliance with the continuing professional education requirements provided in subsection (4). Each certification of compliance shall be provided to the President of the Senate and the Speaker of the House of Representatives.

Section 5. Section 350.041, Florida Statutes, is amended to read:

350.041 Commissioners; standards of conduct.—

(1) STATEMENT OF INTENT.—

(a) Professional, impartial, and honorable commissioners are indispensable to the effective performance of the commission's duties. A commissioner shall maintain high standards of conduct and shall personally observe those standards so that the integrity and impartiality of the

commission may be preserved. The standards of conduct provided in this section should be construed and applied to further that objective.

(b) In addition to the provisions of part III of chapter 112, which are applicable to public service commissioners by virtue of their being public officers and full-time employees of the legislative branch of government, the conduct of public service commissioners shall be governed by the standards of conduct provided in this section. Nothing shall prohibit the standards of conduct from being more restrictive than part III of chapter 112. Further, this section shall not be construed to contravene the restrictions of part III of chapter 112. In the event of a conflict between this section and part III of chapter 112, the more restrictive provision shall apply.

(2) STANDARDS OF CONDUCT.—

(a) A commissioner may not accept anything from any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, from any public utility regulated by the commission, or from any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission. A commissioner may attend conferences and associated meals and events that are generally available to all conference participants without payment of any fees in addition to the conference fee. Additionally, while attending a conference, a commissioner may attend meetings, meals, or events that are not sponsored, in whole or in part, by any representative of any public utility regulated by the commission and that are limited to commissioners only, committee members, or speakers if the commissioner is a member of a committee of the association of regulatory agencies that organized the conference or is a speaker at the conference. It is not a violation of this paragraph for a commissioner to attend a conference for which conference participants who are employed by a utility regulated by the commission have paid a higher conference registration fee than the commissioner, or to attend a meal or event that is generally available to all conference participants without payment of any fees in addition to the conference fee and that is sponsored, in whole or in part, by a utility regulated by the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(b) A commissioner may not accept any form of employment with or engage in any business activity with any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, any public utility regulated by the commission, or any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission.

(c) A commissioner may not have any financial interest, other than shares in a mutual fund, in any public utility regulated by the commission, in any business entity which, either directly or indirectly, owns or controls any public utility regulated by the commission, or in any business entity which, either directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission. If a commissioner acquires any financial interest prohibited by this section during his or her term of office as a result of events or actions beyond the commissioner's control, he or she shall immediately sell such financial interest or place such financial interest in a blind trust at a financial institution. A commissioner may not attempt to influence, or exercise any control over, decisions regarding the blind trust.

(d) A commissioner may not accept anything from a party in a proceeding currently pending before the commission. If, during the course of an investigation by the Commission on Ethics into an alleged violation of this paragraph, allegations are made as to the identity of the person giving or providing the prohibited gift, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person gave or provided a prohibited gift, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

(e) A commissioner may not serve as the representative of any political party or on any executive committee or other governing body of a political party; serve as an executive officer or employee of any political party, committee, organization, or association; receive remuneration for activities on behalf of any candidate for public office; engage on behalf of any candidate for public office in the solicitation of votes or other activities on behalf of such candidacy; or become a candidate for election to any public office without first resigning from office.

(f) A commissioner, during his or her term of office, may not make any public comment regarding the merits of any proceeding under ss. 120.569 and 120.57 currently pending before the commission.

(g) A commissioner may not conduct himself or herself in an unprofessional manner at any time during the performance of his or her official duties.

(h) The chair shall require order and decorum in proceedings before the commission. In the absence of the chair, the commissioner presiding over a commission proceeding shall require order and decorum in the proceeding.

(i) A commissioner shall be patient, dignified, and courteous to litigants, other commissioners, witnesses, lawyers, commission staff, and others with whom the commissioner deals in an official capacity.

(j) A commissioner shall perform his or her official duties without bias or prejudice. A commissioner may not, in the performance of his or her official duties, by words or conduct manifest bias or prejudice.

(k) A commissioner may not, with respect to parties or classes of parties, cases, controversies, or issues likely to come before the commission, make pledges, promises, or commitments that are inconsistent with the impartial performance of the commissioner's official duties.

(l) A commissioner may not be swayed by partisan interests, public clamor, or fear of criticism.

(m) ~~(h)~~ A commissioner must avoid impropriety in all of his or her activities and must act at all times in a manner that promotes public confidence in the integrity and impartiality of the commission.

(n) ~~(i)~~ A commissioner may not directly or indirectly, through staff or other means, solicit anything of value from any public utility regulated by the commission, or from any business entity that, whether directly or indirectly, is an affiliate or subsidiary of any public utility regulated by the commission, or from any party appearing in a proceeding considered by the commission in the last 2 years.

(3) INVESTIGATIONS; REPORTS; ADVISORY OPINIONS.—

(a) The Commission on Ethics shall accept and investigate any alleged violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) The Commission on Ethics shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations with respect to alleged violations by a public service commissioner. The Governor is authorized to enforce ~~these~~ the findings and recommendations of the Commission on Ethics, pursuant to part III of chapter 112.

(c) A public service commissioner, a commission employee, or a member of the Florida Public Service Commission Nominating Council may request an advisory opinion from the Commission on Ethics, pursuant to s. 112.322(3)(a), regarding the standards of conduct or prohibitions set forth in this section and ss. 350.031, 350.04, and 350.042.

Section 6. Section 350.042, Florida Statutes, is amended to read:

350.042 Ex parte communications.—

(1) Each ~~A~~ commissioner and member of a commissioner's direct staff shall ~~should~~ accord to every person who is a party to or is registered with the commission as an interested person in a proposed agency action proceeding, or who is a party to a proceeding under s. 120.565, s. 120.569, or s. 120.57 ~~legally interested in a proceeding~~, or the person's lawyer, full right to be heard according to law, and, except as authorized by law, shall ~~not~~ ~~neither~~ initiate, solicit, or ~~nor~~ consider ex parte communications concerning a pending proposed agency action ~~the merits, threat, or offer of reward in any proceeding or a proceeding under s. 120.565, s. 120.569, or s. 120.57~~ ~~other than a proceeding under s. 120.54 or s. 120.565, workshops, or internal affairs meetings~~. No individual shall discuss ex parte with a commissioner or a member of a commissioner's direct staff the merits of any issue that he or she

reasonably foresees ~~knows~~ will be filed with the commission ~~within 90 days~~. ~~The provisions of this subsection shall not apply to commission staff.~~

(a) As used in this section, the term "ex parte communication" means any communication that:

1. If it is a written or printed communication or a communication in electronic form, is not served on all parties to a proceeding; or

2. If it is an oral communication, is made without adequate notice to the parties and without an opportunity for the parties to be present and heard.

(b) Where circumstances require, ex parte communications concerning scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized, if:

1. The commissioner or member of a commissioner's direct staff reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication; and

2. The commissioner or member of a commissioner's direct staff makes provision promptly to notify all parties of the substance of the ex parte communication and, where possible, allows an opportunity to respond.

(2) The provisions of this section shall not prohibit an individual residential ratepayer from communicating with a commissioner or member of a commissioner's direct staff, provided that the ratepayer is representing only himself or herself, without compensation.

(3) This section shall not apply to oral communications or discussions in scheduled and noticed open public meetings of educational programs or of a conference or other meeting of an association of regulatory agencies.

(4) If a commissioner or member of a commissioner's direct staff knowingly receives an ex parte communication prohibited by this section ~~relative to a proceeding other than as set forth in subsection (1)~~, to which he or she is assigned, he or she must place on the record of the proceeding copies of all written communications received, all written responses to the communications, and a memorandum stating the substance of all oral communications received and all oral responses made, and shall give written notice to all parties to the communication that such matters have been placed on the record. Any party to the proceeding who desires to respond to the ~~an ex parte~~ communication may do so. The response must be received by the commission within 10 days after receiving notice that the ~~ex parte~~ communication has been placed on the record. The commissioner may, if he or she deems it necessary to eliminate the effect of an ex parte communication received by him or her, withdraw from the proceeding, in which case the chair shall substitute another commissioner for the proceeding.

(5) Any individual who makes an ex parte communication prohibited by this section shall submit to the commission a written statement describing the nature of such communication, to include the name of the person making the communication, the name of ~~each~~ the commissioner or direct staff member of a commissioner ~~commissioners~~ receiving the communication, copies of all written communications made, all written responses to such communications, and a memorandum stating the substance of all oral communications received and all oral responses made. The commission shall place on the record of a proceeding all such communications.

(6) Any commissioner or member of a commissioner's direct staff who knowingly fails to place on the record any ex parte communication prohibited by this section ~~such communications~~, in violation of this ~~the~~ section, within 15 days after of the date of the ~~such~~ communication is subject to removal or dismissal and may be assessed a civil penalty not to exceed \$5,000. Any individual who knowingly fails to comply with subsection (5) may be assessed a civil penalty not to exceed \$5,000.

(7)(a) It is ~~shall be~~ the duty of the Commission on Ethics to receive and investigate sworn complaints of violations of this section pursuant to the procedures contained in ss. 112.322-112.3241.

(b) If the Commission on Ethics finds that there has been a violation of this section by a public service commissioner or member of a commissioner's direct staff, it shall provide the Governor and the Florida Public Service Commission Nominating Council with a report of its findings and recommendations. The Governor is authorized to enforce the findings and recommendations of the Commission on Ethics, pursuant to part III of chapter 112.

(c) If a commissioner, a member of a commissioner's direct staff, or other individual fails or refuses to pay the Commission on Ethics any civil penalties

assessed pursuant to the provisions of this section, the Commission on Ethics may bring an action in any circuit court to enforce ~~the such~~ penalty.

(d) If, during the course of an investigation by the Commission on Ethics into an alleged violation of this section, allegations are made as to the identity of the person who participated in the ex parte communication, that person must be given notice and an opportunity to participate in the investigation and relevant proceedings to present a defense. If the Commission on Ethics determines that the person participated in the ex parte communication, the person may not appear before the commission or otherwise represent anyone before the commission for a period of 2 years.

Section 7. Subsections (1), (2), and (3) of section 350.06, Florida Statutes, are amended to read:

350.06 Place of meeting; expenditures; employment of personnel; records availability and fees.—

(1) The offices of ~~the commission said commissioners~~ shall be in the vicinity of Tallahassee, but the commissioners may hold sessions anywhere in the state at their discretion.

(2) All sums of money authorized to be paid on account of ~~the commission said commissioners~~ shall be paid out of the State Treasury only on the order of the Chief Financial Officer.

(3)(a) ~~The commission shall commissioners may employ an executive director, a general counsel, and an inspector general clerical, technical, and professional personnel reasonably necessary for the performance of their duties and may also employ one or more persons capable of stenographic court reporting, to be known as the official reporters of the commission. Selection of the executive director shall be subject to confirmation by the Senate. Until such time as the Senate confirms the selection of the executive director, the individual selected shall perform the functions of the position. If the Senate refuses to confirm or fails to consider the selection during its next regular session, the commission shall, within 30 days, select another individual for Senate confirmation. This process shall continue until the Senate has confirmed a selection. In case of a vacancy in the position of executive director, the commission shall select a new executive director in the same manner as the original selection.~~

(b) Each commissioner may employ a chief advisor and an executive assistant to serve as the direct staff of the commissioner.

(c) ~~Notwithstanding any other provision of law, the executive director shall employ clerical, technical, and professional personnel reasonably necessary to assist the commission in the performance of its duties, and may employ one or more persons capable of stenographic court reporting, to be known as the official reporters of the commission. The executive director shall have sole authority with respect to employment, compensation, supervision, and direction of agency personnel other than those personnel employed by the commission and individual commissioners under paragraphs (a) and (b).~~

(d) The general counsel shall, in consultation with the executive director, ~~employ attorneys, paralegals, legal secretaries, and other personnel reasonably necessary to assist the commission in the performance of its duties.~~

Section 8. Section 350.122, Florida Statutes, is created to read:

350.122 Testimony; public disclosure of affiliation.—

(1) ~~Each person offering testimony at a meeting, workshop, hearing, or other scheduled event of the commission shall disclose any financial or fiduciary relationship with any party to the proceedings at the time the testimony is provided to the commission.~~

(2) ~~The determination by the commission that a person has knowingly violated this section constitutes agency action for which a hearing may be sought under chapter 120.~~

Section 9. Prior to the 2011 Regular Session, the Legislature intends to study and evaluate the structure and processes of the Public Service Commission and any related matters to determine whether the commission should be restructured in a manner that establishes the commission's primary role as an independent and impartial decisionmaking body, enhances due process for all persons involved in commission proceedings, ensures that a public interest position will be presented in commission proceedings, and allows commission staff to freely gather information necessary to advise the commission and advocate for the public interest, while ensuring that the staff is not used as a conduit for prohibited ex parte communications. In

cooperation with the Legislature, the commission's staff shall, as requested, provide assistance and information relevant to this study.

Section 10. This act shall take effect July 1, 2010.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to reorganization of the Public Service Commission; amending s. 350.001, F.S.; revising legislative intent; amending s. 350.031, F.S.; revising requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring at least one commissioner to be a certified accountant practicing in the state; creating s. 350.035, F.S.; prohibiting attempts by certain persons to sway the judgment of commissioners; providing for the Commission on Ethics to receive and investigate complaints of violations pursuant to specified procedures; prohibiting commissioners from requiring or demanding that certain commission staff pursue particular positions or courses of action; requiring the inspector general of the commission to investigate complaints of violations; amending s. 350.04, F.S.; providing requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring commissioners to complete a course of study developed by the executive director and general counsel; requiring commissioners to complete continuing education; providing training requirements for commissioners and commission employees; requiring certifications of compliance to be provided to the Legislature; amending s. 350.041, F.S.; revising legislative intent; revising standards of conduct for commissioners; revising provisions for investigation and reports by the Commission on Ethics of alleged violations; authorizing commission employees to request opinions from the Commission on Ethics; amending s. 350.042, F.S.; revising provisions for communications concerning agency action proceedings and proceedings under specified provisions; providing for application of such provisions to members of a commissioner's direct staff; revising restrictions on such communications by commissioners and their direct staff; defining the term "ex parte communication"; providing a civil penalty; amending s. 350.06, F.S.; revising provisions for the offices of the commission, payment of moneys, and employment of personnel; creating s. 350.122, F.S.; requiring persons testifying before the Public Service Commission to disclose certain financial and fiduciary relationships; providing that a determination by the commission that a violation occurred constitutes agency action for which a hearing may be sought; providing legislative intent to evaluate and study the structure and processes of the Public Service Commission; providing an effective date.

Rep. Precourt moved the adoption of the amendment.

Representative Mayfield offered the following:

(Amendment Bar Code: 020781)

Amendment 1 to Amendment 1 (with title amendment)—Between lines 512 and 513, insert:

Section 10. Study of municipal electric utility retail rates.—

(1) The Florida Public Service Commission shall conduct a study of the differential between retail electric rates charged by each municipal electric utility to customers within the boundaries of the municipality operating the utility and customers outside the boundaries of the municipality. In its study, the commission shall examine:

(a) The basis for any rate differential.

(b) The percentage of the utility's retail customers receiving service within and outside the boundaries of the municipality.

(c) The governance structure of the utility.

(d) The portion of the utility's retail sales revenues that are transferred to the municipality's general revenue fund or are otherwise used for purposes other than electric utility investment and operations.

(e) The means by which customers receiving service outside the boundaries of the municipality may seek redress for, or provide input into, issues concerning the municipal electric utility's rates and service.

(2) The commission may request from each municipal electric utility all information and records necessary to conduct the study. The commission shall report its findings to the President of the Senate and the Speaker of the House of Representatives no later than January 2, 2011.

TITLE AMENDMENT

Remove line 564 and insert:

Commission; requiring the Public Service Commission to conduct a study of rate differentials within municipal electric utilities; providing an effective date.

Rep. Mayfield moved the adoption of the amendment to the amendment. Subsequently, **Amendment 1 to Amendment 1** was withdrawn.

The question recurred on the adoption of **Amendment 1**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

On motion by Rep. Precourt, consideration of **HB 7211** was temporarily postponed.

HB 903—A bill to be entitled An act relating to the Strategic Intermodal System Plan; amending s. 339.64, F.S.; removing provisions creating and providing duties of the Statewide Intermodal Transportation Advisory Council; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1551—A bill to be entitled An act relating to the Black Business Investment Board, Inc.; amending s. 288.707, F.S.; deleting a description of the board as a public-private entity; requiring the board to assist the Office of Tourism, Trade, and Economic Development in creating a long-range strategic policy for the Black Business Loan Program; revising the entities with whom the board may create partnerships for the development and expansion of black business enterprises; revising the membership of the board of directors; providing for certain members to be ex officio, nonvoting members; revising requirements for the selection, removal, and terms of the chair and vice chair; amending s. 288.709, F.S.; requiring that upon dissolution of the board, an asset that was not acquired through the use of state funds be returned to the donor who provided the asset or the funding or resources to acquire the asset; amending s. 288.7091, F.S.; requiring the board to aid the development and expansion of black business enterprises by leveraging federal, state, local, and private funds; requiring the board to collaborate with agencies of the federal, state, and local governments, private entities, nonprofit organizations, and national organizations; amending s. 288.7102, F.S.; revising the dates by which applications for loans from the Black Business Loan Program must be received and processed by the Office of Tourism, Trade, and Economic Development; revising eligibility requirements for new and existing program recipients; revising the date by which the Office of Tourism, Trade, and Economic Development must distribute appropriations to program recipients; deleting provisions providing for the board to recommend the certification of eligible recipients for loans; revising the percentages of program funds that a program recipient may use for technical support for black business enterprises or direct administrative costs; amending s. 288.71025, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to bring a civil action against an entity that unlawfully holds itself out as a black business investment corporation; amending s. 288.712, F.S.; deleting a provision relating to the black contractors bonding program, which requires the board to provide assistance to the Office of Supplier Diversity within the Department of Management Services; amending s. 288.714, F.S.; requiring that recipients of loans from the Black Business Loan Program provide quarterly reports to the Office of Tourism, Trade, and Economic Development; requiring that the

Office of Tourism, Trade, and Economic Development compile a summary of quarterly reports from loan recipients and provide a copy of the summary to the board; requiring that the Office of Tourism, Trade, and Economic Development and the board provide annual reports to the Governor and Legislature by a certain date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7217—A bill to be entitled An act relating to Florida Hurricane Catastrophe Fund emergency assessments; amending s. 215.555, F.S.; delaying the repeal of an exemption from certain emergency assessments provided for medical malpractice insurance premiums and the subjection of such premiums to emergency assessments; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 963—A bill to be entitled An act relating to seaports; creating s. 373.4133, F.S.; providing legislative findings; providing for port conceptual permits; providing which ports may apply for a port conceptual permit; authorizing a private entity that has adjacent property to apply for a permit; specifying the length of time for which permit may be issued; providing that a permit is a conceptual certification of compliance with state water quality standards and a conceptual determination of consistency with the state coastal zone management program; providing for permit applications and application requirements; requiring the Department of Environmental Protection to effect a certain balance between the benefits of the facility and the environment; providing that a permit provides certain assurances with respect to construction permits if certain requirements are met; providing for advance mitigation; providing that approval of certain submerged lands authorization by the Board of Trustees of the Internal Improvement Trust Fund constitutes the delegation of authority to the department for final agency action; providing an exception; providing procedures for the approval or denial of an application; providing for administrative challenges; authorizing the department and the board to issue certain permits and authorizations before certain actions are taken under the Endangered Species Act; authorizing certain alternative stormwater treatment and design criteria; providing requirements for proposing such criteria; authorizing the department and the board to adopt rules; providing for implementation; amending s. 311.07, F.S.; revising matching-fund requirements for projects to rehabilitate wharves, docks, berths, bulkheads, or similar structures; amending s. 311.09, F.S.; requiring the Department of Transportation to include certain projects' funding allocations in its legislative budget request and to submit specified work program amendments within a certain timeframe; providing for the transfer of unexpended budget between seaport projects; amending s. 403.061, F.S.; removing the requirement to enter into a memorandum of agreement with the Florida Ports Council from the authority granted to the Department of Environmental Protection to provide supplemental permitting processes for the issuance of certain permits; amending s. 403.813, F.S.; revising requirements relating to maintenance dredging at seaports; expanding the parameters for mixing zones and return-water discharges; prohibiting mixing zones from entering wetland communities; increasing the time allowance for maintenance dredging following a storm event; amending ss. 161.055 and 253.002, F.S.; conforming provisions to changes made by the act; authorizing seaports to enter into public-private agreements for port-related public infrastructure projects; providing effective dates.

—was read the second time by title.

On motion by Rep. Ray, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Ray offered the following:

(Amendment Bar Code: 136247)

Amendment 1—Remove lines 123-124 and insert:
located pursuant to s. 403.067(7) and department rules regarding total maximum daily loads; and

Rep. Ray moved the adoption of the amendment, which was adopted.

On motion by Rep. Ray, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Ray offered the following:

(Amendment Bar Code: 432499)

Amendment 2—Remove line 220 and insert:
include such structural components or best management practices to

Rep. Ray moved the adoption of the amendment, which was adopted.

On motion by Rep. Ray, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Ray offered the following:

(Amendment Bar Code: 430625)

Amendment 3—Remove line 397 and insert:
shall be by rule, provided that delegations related to port

Rep. Ray moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 965—A bill to be entitled An act relating to real property assessment; creating s. 193.1552, F.S.; providing a definition; requiring property appraisers to adjust the assessed value of certain properties affected by imported drywall under certain circumstances; providing for a nominal just value of \$0 under certain circumstances; providing for application to certain properties; providing for nonapplication to certain property owners; specifying homestead property as damaged for certain purposes; prohibiting consideration of homestead property as abandoned under certain circumstances; providing for assessment of certain property after completion of remediation or repair; providing application; providing for future repeal unless reviewed and reenacted; providing an effective date.

—was read the second time by title.

On motion by Rep. Kriseman, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Kriseman offered the following:

(Amendment Bar Code: 840033)

Amendment 1 (with title amendment)—Remove lines 21-53 and insert:
193.1552 Assessment of properties affected by imported or domestic drywall.—

(1) As used in this section, the term "imported or domestic drywall" means drywall that contains elevated levels of elemental sulfur that results in corrosion of certain metals.

(2) When a property appraiser determines that a single-family residential property is affected by imported or domestic drywall and needs remediation to bring that property up to current building standards, the property appraiser shall adjust the assessed value of that property by taking into consideration the presence of the imported or domestic drywall and the impact of such drywall on the assessed value. If the building cannot be used for its intended purpose without remediation or repair, the value of such building shall be assessed at the nominal just value of \$0.

(3) This section applies only to properties in which:

(a) Imported or domestic drywall was used in the construction of the property or an improvement to the property.

(b) The imported or domestic drywall has a significant negative impact on the just value of the property or improvement.

(c) The purchaser was unaware of the imported or domestic drywall at the time of purchase.

(4) This section does not apply to property owners who were aware of the presence of imported or domestic drywall at the time of purchase.

(5) Homestead property to which this section applies shall be considered damaged by misfortune or calamity under s. 193.155(4)(b), except that the 3-year deadline does not apply.

(6) Homestead property shall not be considered abandoned when a homeowner vacates such property for the purpose of remediation and repair under this section, provided the homeowner does not establish a new homestead.

(7) Upon the substantial completion of remediation and repairs, the property shall be assessed as if such imported or domestic

TITLE AMENDMENT

Remove line 5 and insert:

properties affected by imported drywall under certain

Rep. Kriseman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1035—A bill to be entitled An act relating to elevator safety; amending s. 399.01, F.S.; revising definitions; amending s. 399.02, F.S.; conforming a reference to a safety code; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules; authorizing the division to enter certain buildings; providing for variances; exempting certain elevators from specific code update requirements; providing a phase-in period for such elevators; amending s. 399.035, F.S.; conforming a reference to certain safety standards; amending s. 399.049, F.S.; specifying additional acts by a registered elevator company or certificateholder which are subject to discipline; amending s. 399.061, F.S.; requiring certain licensees to provide written responses to departmental requests relating to inspection reports; amending s. 399.105, F.S.; extending the time within which an elevator owner may comply with certain orders to correct; creating s. 399.16, F.S.; providing procedures related to citations and discipline relating to unlicensed activity; creating s. 399.17, F.S.; providing registration and continuing education requirements for certified elevator inspectors; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1293 was temporarily postponed.

CS/CS/CS/HB 1143 was temporarily postponed.

CS/CS/HB 1237—A bill to be entitled An act relating to probate procedures; amending s. 655.934, F.S.; updating terminology relating to a durable power of attorney; amending s. 655.935, F.S.; imposing additional duties on the lessor of a safe-deposit box relating to the contents of the box when the lessee has died; authorizing the lessor to charge fees for performing such duties; amending s. 731.110, F.S.; revising requirements relating to filing a caveat; providing that a caveat may be filed before or after a person's death; providing for the expiration of the caveat; amending s. 731.201, F.S.; revising the definitions of "formal notice" and "informal notice"; amending s. 731.301, F.S.; revising provisions relating to notice; amending s. 732.2125, F.S.; revising a provision relating to the right of election; amending s. 732.401, F.S.; providing that a decedent's spouse may elect to take an interest in a homestead as a tenant in common rather than a life estate; providing procedures and forms for filing notice of such election; providing that such election is irrevocable; providing for the allocation of expenses relating to the homestead; specifying that the interests of the decedent's descendants in the

homestead may not be divested if the spouse's interest is disclaimed; amending s. 732.4015, F.S.; providing that if a spouse's interest in a homestead has been disclaimed, the disclaimed interest passes in accordance with ch. 739, F.S.; creating s. 732.4017, F.S.; providing for the inter vivos transfer of homestead property; providing limitations; amending s. 732.608, F.S.; revising provisions relating to which laws apply when determining intestate succession in certain circumstances; creating s. 732.805, F.S.; denying certain rights or benefits to a surviving spouse who procured a marriage by fraud, duress, or undue influence; providing procedures for challenging a surviving spouse; providing for the award of costs and fees; providing a limitation of liability relating to distributions made without notice of a pending claim; providing for means of notice; providing a time limitation on bringing such actions; creating s. 733.1051, F.S.; authorizing a court to construe the terms of certain wills for certain purposes under certain circumstances; providing definitions; providing criteria for court construction of a will; providing for nonapplication to certain dispositions; authorizing a personal representative to take certain actions without court order pending a determination of estate distribution; limiting personal representative liability; preserving certain rights to construe a will; providing for retroactive operation; amending s. 733.107, F.S.; providing that, in a will contest, certain affidavits and oaths are prima facie evidence relating to execution and attestation of a will; amending s. 733.2123, F.S.; deleting the requirement for attaching a copy of a will to a notice of a petition for administration; amending s. 733.608, F.S.; specifying the manner for serving notice of the personal representative's lien for expenditures and obligations incurred; amending s. 735.203, F.S.; revising provisions relating to providing notice for a petition for summary administration; amending s. 736.1102, F.S.; clarifying provisions relating to which laws apply when determining intestate succession in certain circumstances; amending s. 744.444, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1517—A bill to be entitled An act relating to criminal trials; amending s. 918.015, F.S.; providing legislative findings and intent concerning speedy trial requirements; specifying periods for commencement of a trial absent a request for application of the speedy trial time periods; specifying periods for commencement of a trial when a request for application of speedy trial periods is made; providing grounds for denial of such a motion; providing for vacation of such a motion upon good cause; providing for extensions of time; providing for waiver of speedy trial periods; providing requirements for a speedy trial motion; providing for dismissal of charges if a defendant is not brought to trial within the time period prescribed by the court; providing requirements for motions for dismissal; providing limitations on refile of charges following a dismissal without prejudice; providing for determination of whether a defendant is available for trial for purposes of speedy trial provisions; providing for application of provisions to prisoners outside the jurisdiction; providing for applicability when multiple counts are charged; providing for applicability when a defendant is charged with more than one felony; providing for the effect of appeals; providing for retrial after declaration of a mistrial; providing for application to new or refiled charges after entry of certain entries; deleting reference to a rule of the Supreme Court concerning speedy trials; amending s. 985.35, F.S.; providing that adjudicatory hearings for juveniles must be held in accordance with a specified statute relating to speedy trials rather than according to specified court rules; creating s. 985.36, F.S.; providing a time period for juvenile adjudicatory hearings; providing for extensions of time; providing for waiver of speedy trial period; providing for motions for speedy trial; providing for motions for dismissal; providing for dismissal of charges if a juvenile is not brought to trial within the time period prescribed by the court; providing requirements for motions for dismissal; providing limitations on refile of charges following a dismissal without prejudice; providing requirements for orders dismissing charges with prejudice; providing factors to be considered in determining whether charges should be dismissed with prejudice; providing for determination of whether a juvenile is available for trial for purposes of speedy trial provisions; providing

of tolling of speedy trial period during the determination of a juvenile's competency; providing for the effect of a declaration of a mistrial, an appeal, or an order for a new trial; providing for application to new or refiled charges after timely nolle prosequi; repealing Rule 3.191, Florida Rules of Criminal Procedure, relating to speedy trials; repealing Rule 8.090, Florida Rules of Juvenile Procedure, relating to speedy trials in juvenile proceedings; providing a contingent effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

THE SPEAKER PRO TEMPORE IN THE CHAIR

THE SPEAKER IN THE CHAIR

Representative Eisnaugle offered the following:

(Amendment Bar Code: 292891)

Amendment 1 (with title amendment)—Between lines 57 and 58, insert: Section 1. This act may be cited as the "Raymond L. Marky Speedy Trial Reform Act."

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to criminal trials; providing a short title; amending s. 918.015,

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 002123)

Amendment 2—Remove lines 130-136 and insert: degree; or

3. One hundred eighty days after the date of an order granting the motion for a felony of the first degree punishable by imprisonment for a term of years not exceeding life, a life felony, or a capital felony.

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 656461)

Amendment 3—Remove lines 342-344 and insert: trial if the defendant or his or her counsel fails to attend any proceeding at which either's presence is required or the defendant or his or her counsel is not ready for

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 683907)

Amendment 4—Remove lines 561-563 and insert: trial if the juvenile or his or her counsel fails to attend any proceeding at which either's presence is required or the juvenile or his or her counsel is not ready for

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Recessed

The House recessed at 5:17 p.m., to reconvene at 6:30 p.m.

Reconvened

The House was called to order by the Speaker at 6:49 p.m. A quorum was present [Session Vote Sequence: 895].

CS/CS/HB 203 was temporarily postponed.

HB 525—A bill to be entitled An act relating to statutes of limitation for sexual battery; amending ss. 95.11 and 775.15, F.S.; eliminating statutes of limitations to the institution of criminal or civil actions relating to sexual battery of a child if the victim is under 16 years of age at the time of the offense; providing applicability; providing an effective date.

—was read the second time by title.

Rep. Dorworth moved to waive the rules and read HB 525 the third time by title, which was not agreed to by the required two-thirds vote.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Expedited Local Bill Calendar

CS/CS/HB 423—A bill to be entitled An act relating to the Seminole County Port Authority, Seminole County; codifying, amending, reenacting, and repealing chapters 65-2270, 67-2073, 67-2074, 67-2078, 70-946, 71-923, 72-695, 72-696, 75-504, 76-487, and 88-447, Laws of Florida; providing for warrants to be signed by the chairperson, treasurer, or certain other persons; providing that the authority may hold its books open for a specified period after the end of the fiscal year; providing that the authority shall comply with general law for cost of construction and supplies; providing for execution of documents and examination of claims; providing for charter to supersede chapter 315, F.S., in certain circumstances; providing an effective date.

—was read the second time by title. On motion by Rep. Dorworth, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 8002

Speaker Cretul in the Chair.

Yeas—105

Adkins	Fitzgerald	Llorente	Rogers
Ambler	Flores	Long	Rouson
Anderson	Ford	Lopez-Cantera	Sachs
Bembry	Fresen	Mayfield	Saunders
Bernard	Frishe	McBurney	Schenck
Bogdanoff	Gaetz	McKeel	Schultz
Bovo	Galvano	Murzin	Schwartz
Boyd	Garcia	Nehr	Skidmore
Brandenburg	Gibbons	Nelson	Snyder
Braynon	Gibson	Pafford	Soto
Brisé	Glorioso	Patronis	Stargel
Bullard	Gonzalez	Patterson	Steinberg
Burgin	Grady	Plakon	Taylor
Bush	Hasner	Planas	Thompson, G.
Cannon	Hays	Poppell	Thompson, N.
Carroll	Heller	Porth	Tobia
Chestnut	Holder	Precourt	Troutman
Clarke-Reed	Homan	Proctor	Van Zant
Cretul	Hooper	Rader	Waldman
Crisafulli	Horner	Randolph	Weatherford
Cruz	Hudson	Ray	Weinstein
Domino	Jenne	Reagan	Williams, A.
Dorworth	Jones	Reed	Wood
Drake	Kelly	Rehwinkel Vasilinda	Workman
Eisnaugle	Kiar	Robaina	
Evers	Kriseman	Roberson, K.	
Fetterman	Legg	Roberson, Y.	

Nays—2

Adams

Hukill

So the bill passed and was immediately certified to the Senate.

HB 431—A bill to be entitled An act relating to the Peace Creek Drainage District, Polk County; abolishing the district; providing for transfer of assets and indebtedness; repealing special acts relating to the district; providing an effective date.

—was read the second time by title. On motion by Rep. Wood, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 511—A bill to be entitled An act relating to Collier County; providing a charter; creating an independent special district to provide children's services in the county; providing for a governing board; providing for membership, terms, and powers and duties of the board; authorizing reimbursement for per diem and travel expenses; requiring certain reports and audits; specifying a fiscal year; providing financial requirements and budget procedures; authorizing the levy of ad valorem assessments and providing a millage cap; requiring a surety bond of certain persons; providing requirements for amendment or dissolution of the district; providing for referendums; providing an effective date.

—was read the second time by title. On motion by Rep. Hudson, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 8001

Speaker Cretul in the Chair.

Yeas—104

Adams	Evers	Kiar	Rehwinkel Vasilinda
Adkins	Fetterman	Kriseman	Robaina
Ambler	Fitzgerald	Legg	Roberson, Y.
Anderson	Flores	Llorente	Rogers
Bembry	Ford	Long	Rouson
Bernard	Fresen	Lopez-Cantera	Sachs
Bogdanoff	Frishe	Mayfield	Saunders
Bovo	Gaetz	McBurney	Schenck
Boyd	Galvano	McKeel	Schultz
Brandenburg	Garcia	Murzin	Schwartz
Braynon	Gibbons	Nehr	Skidmore
Brisé	Gibson	Nelson	Snyder
Bullard	Glorioso	Pafford	Soto
Burgin	Gonzalez	Patronis	Stargel
Bush	Hasner	Patterson	Steinberg
Cannon	Hays	Plakon	Taylor
Carroll	Heller	Planas	Thompson, G.
Chestnut	Holder	Poppell	Thompson, N.
Clarke-Reed	Homan	Porth	Tobia
Cretul	Hooper	Precourt	Troutman
Crisafulli	Horner	Proctor	Van Zant
Cruz	Hudson	Rader	Waldman
Domino	Hukill	Randolph	Weatherford
Dorworth	Jenne	Ray	Weinstein
Drake	Jones	Reagan	Williams, A.
Eisnaugle	Kelly	Reed	Workman

Nays—3

Grady	Roberson, K.	Wood
-------	--------------	------

So the bill passed and was immediately certified to the Senate.

CS/HB 859—A bill to be entitled An act relating to the West Palm Beach Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising the definition of the term "salary"; authorizing other fiduciary designees to sign fund drafts; clarifying an exception relating to the adoption of experience tables and interest rates; providing for the adjustment of benefits when changing joint annuitants or beneficiaries; removing the requirement for a spouse's consent to waive a joint and survivor benefit; providing for quarterly adjustment of share accounts; providing an exception to an exclusion for disabled members; revising provisions relating to the payment of certain death benefits; providing for bimonthly refund repayments; requiring the board of trustees to identify and report any holdings in a scrutinized company; requiring divestiture of certain securities within a specified time; limiting board liability relating to such divestiture; authorizing the withholding of certain retirement funds for certain purposes upon request of a retiree; reducing the amount of small retirement income that may be paid in a lump sum; authorizing certain city police officers to recontribute to the fund; revising provisions relating to determination of creditable service for members who die or become disabled while on active duty military service; providing for distribution of the fund in the event of termination of the pension plan; providing an effective date.

—was read the second time by title. On motion by Rep. Domino, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Bovo	Bush	Cruz
Adkins	Boyd	Cannon	Domino
Ambler	Brandenburg	Carroll	Dorworth
Anderson	Braynon	Chestnut	Drake
Bembry	Brisé	Clarke-Reed	Eisnaugle
Bernard	Bullard	Cretul	Evers
Bogdanoff	Burgin	Crisafulli	Fetterman

Fitzgerald	Hudson	Plakon	Schultz
Flores	Hukill	Planas	Schwartz
Ford	Jenne	Poppell	Skidmore
Fresen	Jones	Porth	Snyder
Frishe	Kelly	Precourt	Soto
Gaetz	Kiar	Proctor	Stargel
Galvano	Kriseman	Rader	Steinberg
Garcia	Legg	Randolph	Taylor
Gibbons	Llorente	Ray	Thompson, G.
Gibson	Long	Reagan	Thompson, N.
Glorioso	Lopez-Cantera	Reed	Tobia
Gonzalez	Mayfield	Rehwinkel Vasilinda	Troutman
Grady	McBurney	Robaina	Van Zant
Hasner	McKeel	Roberson, K.	Waldman
Hays	Murzin	Roberson, Y.	Weatherford
Heller	Nehr	Rogers	Weinstein
Holder	Nelson	Rouson	Williams, A.
Homan	Pafford	Sachs	Wood
Hooper	Patronis	Saunders	Workman
Horner	Patterson	Schenck	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 937—A bill to be entitled An act relating to the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising definitions relating to the West Palm Beach Firefighters Pension Fund; revising terms of the board of trustees; providing that an authorized fiduciary may sign drafts for fund disbursements; providing additional requirements for the board relating to certain holdings; deleting certain requirements relating to service pension for normal retirement, including optional transition benefits for certain employees; providing that a retired member may change certain designation of joint annuitant or beneficiary relating to payment of benefits; providing that members who are disabled due to specified military service are not excluded from disability pensions; providing that the board may authorize withholdings from retirement pay under certain circumstances; providing that a firefighter for a federal fire department constitutes prior firefighter service; providing for termination of the fund and distribution of assets; providing an effective date.

—was read the second time by title. On motion by Rep. Domino, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Drake	Hudson	Precourt
Adkins	Eisnaugle	Hukill	Proctor
Ambler	Evers	Jenne	Rader
Anderson	Fetterman	Jones	Randolph
Bembry	Fitzgerald	Kelly	Ray
Bernard	Flores	Kiar	Reagan
Bogdanoff	Ford	Kriseman	Reed
Bovo	Fresen	Legg	Rehwinkel Vasilinda
Boyd	Frishe	Llorente	Robaina
Brandenburg	Gaetz	Long	Roberson, K.
Braynon	Galvano	Lopez-Cantera	Roberson, Y.
Brisé	Garcia	Mayfield	Rogers
Bullard	Gibbons	McBurney	Rouson
Burgin	Gibson	McKeel	Sachs
Bush	Glorioso	Murzin	Saunders
Cannon	Gonzalez	Nehr	Schenck
Carroll	Grady	Nelson	Schultz
Chestnut	Hasner	Pafford	Schwartz
Clarke-Reed	Hays	Patronis	Skidmore
Cretul	Heller	Patterson	Snyder
Crisafulli	Holder	Plakon	Soto
Cruz	Homan	Planas	Stargel
Domino	Hooper	Poppell	Steinberg
Dorworth	Horner	Porth	Taylor

Thompson, G.	Troutman	Weatherford	Wood
Thompson, N.	Van Zant	Weinstein	Workman
Tobia	Waldman	Williams, A.	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 955—A bill to be entitled An act relating to Marion County; repealing chapters 85-466 and 88-459, Laws of Florida, relating to the levy of special assessments for road and drainage improvements in certain unincorporated areas; providing an effective date.

—was read the second time by title. On motion by Rep. Chestnut, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 957—A bill to be entitled An act relating to Marion County; repealing chapter 85-467, Laws of Florida, relating to municipal service taxing units for road improvements in unincorporated areas and the levying of special assessments within the territorial boundaries of such units; providing an effective date.

—was read the second time by title. On motion by Rep. Chestnut, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1045—A bill to be entitled An act relating to Palm Beach County; amending chapter 59-1698, Laws of Florida, as amended; revising and providing definitions; providing requirements for the operation and licensing of large family child care homes; providing for the issuance of provisional licenses to child care facilities, large family child care homes, and family day care homes; updating obsolete language; revising requirements for Child Care Advisory Council membership; providing an effective date.

—was read the second time by title. On motion by Rep. Brandenburg, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1047—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; providing for use of specified city-owned property for recreational and commercial working waterfronts; providing for use of revenue from specified city-owned property; providing for development of specified city-owned property consistent with the Florida Coastal Management Program, the Waterfronts Florida Program, the city comprehensive plan and code of ordinances, and other applicable law; providing for preservation of referendum requirement of use of certain city-owned property; requiring a referendum for lease, license, sale, or transfer of certain land and for any alteration to existing public land use map designation for such land; providing an effective date.

—was read the second time by title. On motion by Rep. Frishe, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel	Vasilinda
Evers	Kiar	Robaina	Workman

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1053—A bill to be entitled An act relating to the Melbourne-Tillman Water Control District, Brevard County; amending chapter 2001-336, Laws of Florida, as amended; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Workman, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel	Vasilinda
Evers	Kiar	Robaina	Workman

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1055—A bill to be entitled An act relating to Brevard County; amending chapter 87-423, Laws of Florida, as amended; changing the name of the Brevard Police Testing and Certification Center to the Brevard Police Testing and Selection Center; providing for change in composition and membership of the board of directors; providing the board has authority to recommend approval of agreements with and acceptance of funds or services from any federal, state, or local governmental entity or political subdivision, any college or university, or any private or civic source; clarifying the center's primary mission; providing for applicant testing, screening, and information services for criminal justice and public safety positions; authorizing certain applicant fees; revising provisions relating to establishment, approval, and use of user fees; providing an effective date.

—was read the second time by title. On motion by Rep. Tobia, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Crisafulli	Grady	McBurney
Adkins	Cruz	Hasner	McKeel
Ambler	Domino	Hays	Murzin
Anderson	Dorworth	Heller	Nehr
Bembry	Drake	Holder	Nelson
Bernard	Eisnaugle	Homan	Pafford
Bogdanoff	Evers	Hooper	Patronis
Bovo	Fetterman	Horner	Patterson
Boyd	Fitzgerald	Hudson	Plakon
Brandenburg	Flores	Hukill	Planas
Braynon	Ford	Jenne	Poppell
Brisé	Fresen	Jones	Porth
Bullard	Frishe	Kelly	Precourt
Burgin	Gaetz	Kiar	Proctor
Bush	Galvano	Kriseman	Rader
Cannon	Garcia	Legg	Randolph
Carroll	Gibbons	Llorente	Ray
Chestnut	Gibson	Long	Reagan
Clarke-Reed	Glorioso	Lopez-Cantera	Reed
Cretul	Gonzalez	Mayfield	Rehwinkel
			Vasilinda

Robaina	Schenck	Steinberg	Waldman
Roberson, K.	Schultz	Taylor	Weatherford
Roberson, Y.	Schwartz	Thompson, G.	Weinstein
Rogers	Skidmore	Thompson, N.	Williams, A.
Rouson	Snyder	Tobia	Wood
Sachs	Soto	Troutman	Workman
Saunders	Stargel	Van Zant	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1215—A bill to be entitled An act relating to Broward County; amending chapter 98-521, Laws of Florida, as amended; requiring each member of the South Broward Utility Advisory Board appointed by the Town of Southwest Ranches to be a water or sewer user within the service area of the former South Broward Utility; providing an effective date.

—was read the second time by title. On motion by Rep. Porth, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1249—A bill to be entitled An act relating to the Lee County Sheriff's Office; amending chapter 74-522, Laws of Florida, as amended; providing that the sheriff has the burden of proving just cause in an appeal of disciplinary action; providing that certain retirement health insurance benefits shall not be available to employees commencing employment after a specified date; providing an effective date.

—was read the second time by title. On motion by Rep. T. Williams, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1403—A bill to be entitled An act relating to the Sarasota Manatee Airport Authority; amending chapter 2003-309, Laws of Florida; authorizing attendance and participation at certain emergency meetings of the Sarasota Manatee Airport Authority by teleconference under certain circumstances; providing for a quorum; providing for compliance with public meetings requirements; providing an effective date.

—was read the second time by title. On motion by Rep. Holder, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Cruz	Hays	Nehr
Adkins	Domino	Heller	Nelson
Ambler	Dorworth	Holder	Pafford
Anderson	Drake	Homan	Patronis
Bembry	Eisnaugle	Hooper	Patterson
Bernard	Evers	Horner	Plakon
Bogdanoff	Fetterman	Hudson	Planas
Bovo	Fitzgerald	Hukill	Poppell
Boyd	Flores	Jenne	Porth
Brandenburg	Ford	Jones	Precourt
Braynon	Fresen	Kelly	Proctor
Brisé	Frishe	Kiar	Rader
Bullard	Gaetz	Kriseman	Randolph
Burgin	Galvano	Legg	Ray
Bush	Garcia	Llorente	Reagan
Cannon	Gibbons	Long	Reed
Carroll	Gibson	Lopez-Cantera	Rehwinkel Vasilinda
Chestnut	Glorioso	Mayfield	Robaina
Clarke-Reed	Gonzalez	McBurney	Roberson, K.
Cretul	Grady	McKeel	Roberson, Y.
Crisafulli	Hasner	Murzin	Rogers

Rouson	Skidmore	Thompson, G.	Weatherford
Sachs	Snyder	Thompson, N.	Weinstein
Saunders	Soto	Tobia	Williams, A.
Schenck	Stargel	Troutman	Wood
Schultz	Steinberg	Van Zant	Workman
Schwartz	Taylor	Waldman	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1483—A bill to be entitled An act relating to the Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County; amending chapter 2009-261, Laws of Florida; revising district boundaries; providing an effective date.

—was read the second time by title. On motion by Rep. Schenck, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1485—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida, relating to the Public Transportation Commission; revising definitions; providing an effective date.

—was read the second time by title. On motion by Rep. Glorioso, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1487—A bill to be entitled An act relating to Spring Lake Improvement District, Highlands County; amending chapter 2005-342, Laws of Florida; deleting obsolete language and language inconsistent with or repetitive of general law; providing for minimum charter requirements; amending board, election, and term of office provisions; amending the compensation for board members to comply with general law; deleting obsolete district powers and providing additional district powers including mosquito control, fire and emergency services, and construction and maintenance of school facilities; providing for applicability of general laws; providing a ballot statement; requiring a referendum; providing an effective date.

—was read the second time by title. On motion by Rep. Grimsley, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 8003

Speaker Cretul in the Chair.

Yeas—106

Adkins	Dorworth	Homan	Patterson
Ambler	Drake	Hooper	Plakon
Anderson	Eisnaugle	Horner	Planas
Bembry	Evers	Hudson	Poppell
Bernard	Fetterman	Hukill	Porth
Bogdanoff	Fitzgerald	Jenne	Precourt
Bovo	Flores	Jones	Proctor
Boyd	Ford	Kelly	Rader
Brandenburg	Fresen	Kiar	Randolph
Braynon	Frishe	Kriseman	Ray
Brisé	Gaetz	Legg	Reagan
Bullard	Galvano	Llorente	Reed
Burgin	Garcia	Long	Rehwinkel Vasilinda
Bush	Gibbons	Lopez-Cantera	Robaina
Cannon	Gibson	Mayfield	Roberson, K.
Carroll	Glorioso	McBurney	Roberson, Y.
Chestnut	Gonzalez	McKeel	Rogers
Clarke-Reed	Grady	Murzin	Rouson
Cretul	Hasner	Nehr	Sachs
Crisafulli	Hays	Nelson	Saunders
Cruz	Heller	Pafford	Schenck
Domino	Holder	Patronis	Schultz

Schwartz	Steinberg	Troutman	Williams, A.
Skidmore	Taylor	Van Zant	Wood
Snyder	Thompson, G.	Waldman	Workman
Soto	Thompson, N.	Weatherford	
Stargel	Tobia	Weinstein	

Nays—1

Adams

So the bill passed and was immediately certified to the Senate.

CS/HB 1547—A bill to be entitled An act relating to the Lake Asbury Municipal Service Benefit District, Clay County; amending chapter 86-392, Laws of Florida; authorizing the board of district trustees to increase the cap on special assessments against lots in the district, subject to voter approval at a referendum; providing an effective date.

—was read the second time by title. On motion by Rep. Proctor, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1621—A bill to be entitled An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida; extending and enlarging the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Porth, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1627—A bill to be entitled An act relating to the Hardee County Economic Development Authority, Hardee County; amending chapter 2004-394, Laws of Florida; revising provisions relating to the authority's purpose and grant application criteria; correcting cross-references; providing an effective date.

—was read the second time by title. On motion by Rep. Troutman, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1629—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida; clarifying that administrative determination by the Division of Administrative Hearings of the Department of Management Services of the invalidity of rules or proposed rules of the Hillsborough County Public Transportation Commission is authorized; providing an effective date.

—was read the second time by title. On motion by Rep. Glorioso, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Fetterman	Kriseman	Roberson, K.
Adkins	Fitzgerald	Legg	Roberson, Y.
Ambler	Flores	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Lopez-Cantera	Sachs
Bernard	Frishe	Mayfield	Saunders
Bogdanoff	Gaetz	McBurney	Schenck
Bovo	Galvano	McKeel	Schultz
Boyd	Garcia	Murzin	Schwartz
Brandenburg	Gibbons	Nehr	Skidmore
Braynon	Gibson	Nelson	Snyder
Brisé	Glorioso	Pafford	Soto
Bullard	Gonzalez	Patronis	Stargel
Burgin	Grady	Patterson	Steinberg
Bush	Hasner	Plakon	Taylor
Cannon	Hays	Planas	Thompson, G.
Carroll	Heller	Poppell	Thompson, N.
Chestnut	Holder	Porth	Tobia
Clarke-Reed	Homan	Precourt	Troutman
Cretul	Hooper	Proctor	Van Zant
Crisafulli	Horner	Rader	Waldman
Cruz	Hudson	Randolph	Weatherford
Domino	Hukill	Ray	Weinstein
Dorworth	Jenne	Reagan	Williams, A.
Drake	Jones	Reed	Wood
Eisnaugle	Kelly	Rehwinkel Vasilinda	Workman
Evers	Kiar	Robaina	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1631—A bill to be entitled An act relating to the Lake Padgett Estates Independent Special District, Pasco County; amending chapter 2006-317, Laws of Florida; correcting the legal description of the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Weatherford, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Bembry	Boyd	Bullard
Adkins	Bernard	Brandenburg	Burgin
Ambler	Bogdanoff	Braynon	Bush
Anderson	Bovo	Brisé	Cannon

Carroll	Gonzalez	Murzin	Sachs
Chestnut	Grady	Nehr	Saunders
Clarke-Reed	Hasner	Nelson	Schenck
Cretul	Hays	Pafford	Schultz
Crisafulli	Heller	Patronis	Schwartz
Cruz	Holder	Patterson	Skidmore
Domino	Homan	Plakon	Snyder
Dorworth	Hooper	Planas	Soto
Drake	Horner	Poppell	Stargel
Eisnaugle	Hudson	Porth	Steinberg
Evers	Hukill	Precourt	Taylor
Fetterman	Jenne	Proctor	Thompson, G.
Fitzgerald	Jones	Rader	Thompson, N.
Flores	Kelly	Randolph	Tobia
Ford	Kiar	Ray	Troutman
Fresen	Kriseman	Reagan	Van Zant
Frishe	Legg	Reed	Waldman
Gaetz	Llorente	Rehwinkel Vasilinda	Weatherford
Galvano	Long	Robaina	Weinstein
Garcia	Lopez-Cantera	Roberson, K.	Williams, A.
Gibbons	Mayfield	Roberson, Y.	Wood
Gibson	McBurney	Rogers	Workman
Glorioso	McKeel	Rouson	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1635—A bill to be entitled An act relating to Panama City–Bay County Airport and Industrial District; amending chapter 2005-311, Laws of Florida; revising definitions; adding one member to the district governing board who will represent Walton County and be appointed by the Walton County Commission; providing the term for such member; adding two board members who will represent Panama City Beach and be appointed by the Panama City Beach City Council; providing terms for such members; providing for subsequent appointment procedures for such members; revising the quorum requirement; providing that indebtedness of the district for bonds issued shall not be considered a debt of a city or county; providing that issuance of revenue bonds by the district shall not obligate a city or county to levy any ad valorem taxes or to make any appropriations for their payment or for the operation and maintenance of the facilities of the district; providing an effective date.

—was read the second time by title. On motion by Rep. Coley, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 896

Speaker Cretul in the Chair.

Yeas—107

Adams	Domino	Holder	Patronis
Adkins	Dorworth	Homan	Patterson
Ambler	Drake	Hooper	Plakon
Anderson	Eisnaugle	Horner	Planas
Bembry	Evers	Hudson	Poppell
Bernard	Fetterman	Hukill	Porth
Bogdanoff	Fitzgerald	Jenne	Precourt
Bovo	Flores	Jones	Proctor
Boyd	Ford	Kelly	Rader
Brandenburg	Fresen	Kiar	Randolph
Braynon	Frishe	Kriseman	Ray
Brisé	Gaetz	Legg	Reagan
Bullard	Galvano	Llorente	Reed
Burgin	Garcia	Long	Rehwinkel Vasilinda
Bush	Gibbons	Lopez-Cantera	Robaina
Cannon	Gibson	Mayfield	Roberson, K.
Carroll	Glorioso	McBurney	Roberson, Y.
Chestnut	Gonzalez	McKeel	Rogers
Clarke-Reed	Grady	Murzin	Rouson
Cretul	Hasner	Nehr	Sachs
Crisafulli	Hays	Nelson	Saunders
Cruz	Heller	Pafford	Schenck

Schultz	Stargel	Tobia	Weinstein
Schwartz	Steinberg	Troutman	Williams, A.
Skidmore	Taylor	Van Zant	Wood
Snyder	Thompson, G.	Waldman	Workman
Soto	Thompson, N.	Weatherford	

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 759—A bill to be entitled An act relating to the Northern Palm Beach County Improvement District, Palm Beach County; amending chapter 2000-467, Laws of Florida, as amended; revising procedures for the election of members of the district's board of supervisors; updating obsolete language; revising application of the definition of "electors"; revising board member qualification and residency requirements; excluding certain lands from those lands for which a landowner is entitled to a vote at a meeting of landowners; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 831—A bill to be entitled An act relating to Nassau County; providing that certain single-family docks located in the Nassau River-St. Johns River Marshes Aquatic Preserve must meet specified criteria; authorizing the Department of Environmental Protection to take action against owners of docks that do not meet such criteria after a specified date; providing an effective date.

—was read the second time by title. On motion by Rep. Adkins, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 897

Speaker Cretul in the Chair.

Yeas—92

Adams	Eisnagle	Kiar	Roberson, K.
Adkins	Evers	Legg	Roberson, Y.
Ambler	Fetterman	Llorente	Rogers
Anderson	Ford	Long	Rouson
Bembry	Fresen	Mayfield	Sachs
Bernard	Frishe	McBurney	Sands
Bogdanoff	Galvano	McKeel	Saunders
Bovo	Garcia	Murzin	Schenck
Boyd	Gibbons	Nehr	Schwartz
Brandenburg	Gibson	O'Toole	Skidmore
Braynon	Glorioso	Patronis	Snyder
Brisé	Gonzalez	Patterson	Soto
Burgin	Grady	Plakon	Stargel
Bush	Hays	Planas	Steinberg
Cannon	Heller	Poppell	Taylor
Carroll	Holder	Porth	Thompson, N.
Chestnut	Homan	Precourt	Troutman
Clarke-Reed	Hooper	Proctor	Van Zant
Cretul	Horner	Rader	Waldman
Crisafulli	Hudson	Randolph	Weatherford
Domino	Hukill	Reagan	Weinstein
Dorworth	Jones	Reed	Williams, A.
Drake	Kelly	Robaina	Workman

Nays—6

Bullard	Jenne	Pafford
Fitzgerald	Kriseman	Rehwinkel Vasilinda

Votes after roll call:

Yeas—Aubuchon, Coley, Cruz, Gaetz, Hasner, Nelson, Ray, Thompson, G.

So the bill passed and was immediately certified to the Senate.

HB 1049—A bill to be entitled An act relating to the City of Eustis, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Eustis; providing that such events require a street-closure permit from the City of Eustis; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1051—A bill to be entitled An act relating to the City of Tavares, Lake County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tavares; providing that such events require a street-closure permit from the City of Tavares; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1121—A bill to be entitled An act relating to the Town of Grant-Valkaria, Brevard County; amending chapter 2006-348, Laws of Florida; specifying certain revenue sources for qualification to receive revenue-sharing funds under shared revenue programs of the state; providing severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1129—A bill to be entitled An act relating to City of Tamarac, Broward County; extending and enlarging the corporate limits of the City of Tamarac to include specified unincorporated lands within such corporate limits; providing for an effective date of annexation; providing for an interlocal agreement; providing for land use and zoning governance; providing legislative findings; providing requirements for the levying of fire rescue special assessments; providing for an assessment methodology review and report on the fire rescue special assessment; prohibiting the charging of certain impact fees; providing applicability to existing contracts; providing for transfer of public roads and rights-of-way; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1209—A bill to be entitled An act relating to the City of Fort Lauderdale, Broward County; extending and enlarging the corporate limits of the City of Fort Lauderdale to include specified unincorporated lands within such corporate limits; providing for an effective date of annexation; providing for an interlocal agreement, land use and zoning governance, and residency qualification for candidacies for municipal office; providing applicability to existing contracts; providing for transfer of public roads and rights-of-way; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1247—A bill to be entitled An act relating to Hillsborough County; authorizing the Division of Alcoholic Beverages and Tobacco of the

Department of Business and Professional Regulation to issue an alcoholic beverage license to the Children's Museum of Tampa, Inc., to use within the museum's building and on its grounds; providing that the license may be used only for special events; providing for payment of the license fee; providing for sale of beverages for consumption within the museum's building and on its grounds; prohibiting sales for consumption off premises; authorizing transfer and providing for subsequent reversion of the license under certain circumstances; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1295—A bill to be entitled An act relating to the City of Lauderhill, Broward County; extending and enlarging the corporate limits of the city to include specified unincorporated lands; providing an effective date of annexation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1473—A bill to be entitled An act relating to Manatee County; amending chapter 30561 (1955), Laws of Florida, as amended; revising the legal boundaries of the City of Anna Maria to remove land that is currently included in the boundaries of the City of Holmes Beach and to include described submerged lands; exempting Manatee County from certain regulations of the City of Anna Maria; revising the boundaries of the City of Holmes Beach to include unincorporated land owned by the Department of Transportation; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1519—A bill to be entitled An act relating to the Sarasota County Tourist Development Council; providing legislative findings; providing for appointment of additional members to the membership of the Sarasota County Tourist Development Council; specifying requirements for the council members; providing for duties, responsibilities, and procedures of the council; providing for superseding certain provisions of general law; providing construction; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1625—A bill to be entitled An act relating to Brevard County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue an alcoholic beverage license to the East Coast Zoological Society of Florida, Inc., for use within the Brevard Zoo buildings and grounds; providing for payment of the license fee; providing for sale of beverages for consumption within the zoo buildings and grounds; providing for transfer of the license; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1425—A bill to be entitled An act relating to Broward County; providing a short title; providing definitions; creating the Broward County Office of Inspector General; providing functions, authority, and powers of the Inspector General; providing for qualifications, selection, contract, facilities, and staff; providing for reporting and budgeting; providing for removal; providing for funding; authorizing imposition of a contract fee; providing applicability with respect to the state attorney and United States Attorney for the Southern District of Florida; providing for a code of ethics for local governments within Broward County; providing for amendment by special act; providing that the act controls with respect to any conflict with the county charter or any county ordinance; providing for referenda; providing an effective date.

—was read the second time by title.

Representative Waldman offered the following:

(Amendment Bar Code: 139753)

Amendment 1—Remove lines 269-279 and insert:

c. One person chosen by the chairperson of the Broward County School Board.

d. One person chosen by the Broward League of Cities.

e. The State Attorney for the Seventeenth Judicial Circuit.

f. The Public Defender for the Seventeenth Judicial Circuit.

g. The President of the Broward County Chiefs of Police Association.

A person chosen pursuant to sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d. must not have been a

Rep. Waldman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7237—A bill to be entitled An act relating to postsecondary education; amending s. 110.181, F.S.; conforming a cross-reference to changes made by the act; amending ss. 112.19 and 112.191, F.S.; requiring the Board of Governors of the State University System to adopt regulations rather than rules to implement certain educational benefits; amending s. 120.81, F.S.; providing that state universities are not required to file certain documents with the Administrative Procedures Committee; amending s. 282.0041, F.S.; revising definitions relating to information technology services to conform to changes made by the act; amending s. 282.703, F.S.; revising provisions relating to the participation of state universities in the SUNCOM Network; amending s. 282.706, F.S.; revising provisions relating to the use of the SUNCOM Network by state university libraries; amending s. 287.064, F.S.; conforming a cross-reference to changes made by the act; amending s. 1000.05, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to discrimination; amending s. 1001.705, F.S.; revising provisions relating to responsibility for the State University System under the State Constitution; deleting legislative findings and intent; providing the constitutional duties of the Board of Governors; providing the constitutional duties of the Legislature; deleting a duty relating to the participation of state universities in the SUNCOM Network; amending s. 1001.706, F.S.; revising powers and duties of the Board of Governors; providing that the Board of Governors has the authority to regulate the State University System and may adopt a regulation development procedure for the board and university boards of trustees to use in implementing their constitutional duties and responsibilities; authorizing the Board of Governors or its designee to adopt regulations; providing requirements for the regulation development procedure; providing requirements for judicial review of certain challenges; revising the Board of Governors' powers and duties relating to accountability and personnel; providing legislative intent that the Board of Governors align the missions of universities with certain factors; providing requirements for a mission alignment and strategic plan; affording opportunities to certain universities; amending s. 1001.72, F.S.; providing that the board of trustees is the university's contracting agent; creating s. 1004.015, F.S.; creating the Higher Education Coordinating Council; providing for membership; providing guiding principles for council recommendations to the Legislature, State Board of Education, and Board of Governors; amending s. 1004.03, F.S.; revising provisions relating to review and approval of new programs at state universities by the Board of Governors; requiring an annual report of the review of proposed new programs; eliminating the requirement that certain programs be approved by the Legislature; amending s. 1004.07, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to student withdrawal from courses due to military service; amending s. 1006.54, F.S.; requiring university boards of trustees to adopt regulations rather than rules relating to documents distributed to libraries; amending s. 1006.60, F.S.; revising provisions relating to state university codes of conduct to authorize the adoption of regulations rather than rules; amending s. 1006.65, F.S.; requiring the Board of Governors to adopt regulations rather

than rules relating to safety issues in courses offered by state universities; amending ss. 1007.264 and 1007.265, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to admission and graduation requirements for students with disabilities; amending s. 1009.24, F.S.; reorganizing certain provisions of law relating to state university student fees; authorizing the Board of Governors to approve flexible tuition policies requested by a university board of trustees; providing that certain fees be based on reasonable costs of services and used for certain purposes; authorizing the Board of Governors to approve a proposal from a university board of trustees to establish a new student fee, increase the cap for an existing fee, or implement flexible tuition policies; providing guidelines for review of proposals; requiring an annual report; prohibiting certain fees from exceeding a specified amount, being included in certain scholarship awards, and being used for certain purposes; requiring a fee committee to make recommendations relating to a new fee; providing restrictions on fee increases; requiring the Board of Governors to adopt regulations; amending s. 1009.26, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to fee waivers; amending s. 1010.04, F.S.; providing that the Board of Governors shall adopt regulations rather than rules for purchases and leases; amending s. 1010.62, F.S.; defining the term "auxiliary enterprise" for purposes of revenue bonds and debt; amending s. 1011.43, F.S.; requiring university boards of trustees to adopt regulations rather than rules for administration of certain scholarships and loans; amending s. 1011.90, F.S.; revising provisions relating to management information maintained by the Board of Governors; amending s. 1013.02, F.S.; requiring the Board of Governors to adopt regulations rather than rules to implement provisions of law relating to educational facilities; amending s. 1013.10, F.S.; authorizing regulations for the use of educational buildings and grounds; amending ss. 1013.12 and 1013.28, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to firesafety inspections and disposal of real property; amending s. 1013.30, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to university campus master plans; amending s. 1013.31, F.S.; requiring the Board of Governors to adopt regulations rather than rules for determining facility space needs; amending s. 1013.47, F.S.; requiring the Board of Governors to adopt regulations rather than rules relating to building standards; amending s. 1013.74, F.S.; authorizing the Board of Governors to adopt regulations rather than rules relating to authorization for fixed capital outlay projects; repealing s. 1001.74, F.S., relating to powers and duties of university boards of trustees; repealing s. 1004.21, F.S., relating to general provisions for state universities; repealing s. 1004.22(13), F.S., relating to rulemaking by a university board of trustees with respect to divisions of sponsored research; repealing s. 1004.38, F.S., relating to the master of science program in speech-language pathology at Florida International University; repealing s. 1004.381, F.S., relating to the bachelor of science nursing degree program at the University of West Florida; repealing s. 1004.3811, F.S., relating to the master of science degree programs in nursing and social work at the University of West Florida; repealing s. 1004.382, F.S., relating to the master's in social work program at Florida Atlantic University; repealing s. 1004.383, F.S., relating to a chiropractic medicine degree program at Florida State University; repealing s. 1004.386, F.S., relating to a bachelor of science degree program in long-term care administration at Florida Gulf Coast University; repealing s. 1004.64, F.S., relating to the School of Engineering at Florida Gulf Coast University and specified bachelor's degrees; providing legislative intent for the repeal of certain sections; requiring each state university to identify and submit to the Board of Governors a list of certain rules that have been superseded by regulations; providing for submission of such rules and certain rules of the Board of Governors to the Department of State; authorizing the Department of State to remove rules from the Florida Administrative Code; providing an effective date.

—was read the second time by title.

Representative McKeel offered the following:

(Amendment Bar Code: 742699)

Amendment 1—Remove line 1219 and insert:

implement flexible tuition policies, such as undergraduate or graduate block tuition.

Rep. McKeel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 467—A bill to be entitled An act relating to public K-12 education; amending s. 1003.42, F.S.; providing that comprehensive health education taught in the public schools shall include a component on teen dating violence and abuse for students in grades 7 through 12; creating s. 1006.148, F.S.; requiring district school boards to adopt and implement a dating violence and abuse policy; providing policy requirements; requiring the Department of Education to develop a model policy; requiring school personnel training; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 615—A bill to be entitled An act relating to substantial assistance; creating s. 921.186, F.S.; permitting the state attorney to request the sentencing court to reduce or suspend the sentence of a person who has been convicted of violating any felony offense and who provides substantial assistance in the identification, arrest, or conviction of any accomplice, accessory, coconspirator, or principal of the person or other felon; providing that the arresting agency shall be given an opportunity to be heard in aggravation or mitigation in reference to any such motion; providing that the motion may be filed and heard in camera for good cause shown; providing that a judge may reduce or suspend the sentence if the judge finds that the defendant rendered substantial assistance; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 723—A bill to be entitled An act relating to postsecondary education; amending s. 1009.26, F.S.; authorizing state universities and community colleges to waive tuition and fees for certain public school classroom teachers for undergraduate courses approved by the Department of Education; requiring State Board of Education rulemaking; amending s. 1004.26, F.S.; prohibiting a cause of action against a state university for the actions or decisions of a state university student government; amending s. 501.0117, F.S.; providing that a convenience fee imposed on a student or family making payment by credit card to certain postsecondary institutions is not considered a surcharge for purposes of certain restrictions; providing an effective date.

—was read the second time by title.

Representative Tobia offered the following:

(Amendment Bar Code: 680661)

Amendment 1 (with title amendment)—Between lines 66 and 67, insert: Section 4. Subsection (15) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Community college student fees.—

(15) Each community college may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. Such service charge or convenience fee must be approved by the community college board of trustees.

TITLE AMENDMENT

Remove line 14 and insert:

certain restrictions; amending s. 1009.23, F.S.; authorizing a community college to assess a convenience fee for the processing of automated or online credit card payments; providing an effective date.

Rep. Tobia moved the adoption of the amendment.

Representative Tobia offered the following:

(Amendment Bar Code: 926887)

Substitute Amendment 1 (with title amendment)—Between lines 66 and 67, insert:

Section 4. Subsection (15) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Community college student fees.—

(15) Each community college may assess a service charge for the payment of tuition and fees in installments and a convenience fee for the processing of automated or online credit card payments. However, the amount of the convenience fee may not exceed the total cost charged by the credit card company to the community college. Such service charge or convenience fee must be approved by the community college board of trustees.

TITLE AMENDMENT

Remove line 14 and insert:

certain restrictions; amending s. 1009.23, F.S.; authorizing a community college to assess a convenience fee for the processing of automated or online credit card payments; providing a restriction on the amount of the convenience fee and requiring approval by the community college board of trustees; providing an effective date.

Rep. Tobia moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1085—A bill to be entitled An act relating to career and education planning; amending s. 1003.4156, F.S.; requiring career exploration in specified fields to be included in a career and education planning course required for middle grades promotion; providing an effective date.

—was read the second time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 177563)

Amendment 1 (with title amendment)—Remove lines 33-54 and insert: exploration aligned to the National Career Clusters supported by Florida's Career Clusters Initiative; must include career exploration using CHOICES ~~for the 21st Century~~ or a comparable cost-effective program; must include educational planning using the online student advising system known as Florida Academic Counseling and Tracking for Students at the Internet website FACTS.org; and shall result in the completion of a personalized academic and career plan.

Each school must hold a parent meeting either in the evening or on a weekend to inform parents about the course curriculum and activities. Each student shall complete an electronic personal education plan that must be signed by the student; the student's instructor, guidance counselor, or academic advisor; and the student's parent. ~~By January 1, 2007, the Department of Education shall develop course frameworks and professional development materials for the career exploration and education planning course.~~ The course may be implemented as a stand-alone

TITLE AMENDMENT

Remove lines 3-5 and insert:

s. 1003.4156, F.S.; revising the general requirements for middle grades promotion to require that a course in career and education planning must

include career exploration aligned to the National Career Clusters; deleting an obsolete provision;

Rep. Bullard moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 449—A bill to be entitled An act relating to sanctions for certain court pleadings; amending s. 57.105, F.S.; prohibiting a monetary sanction against a represented party for a claim that is presented as a good faith argument but that is found to not be supported by the application of then-existing law to material facts; prohibiting sanctions against a party or its attorneys by a court on its own initiative if the case has already been settled or voluntarily dismissed by that party; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Remarks

The Speaker recognized Rep. Ambler, who made brief farewell remarks.

CS/CS/HB 1503—A bill to be entitled An act relating to health care; amending s. 112.0455, F.S., and repealing paragraph (10)(e), relating to a prohibition against applying the Drug-Free Workplace Act retroactively; conforming a cross-reference; amending s. 381.00315, F.S.; directing the Department of Health to accept funds from counties, municipalities, and certain other entities for the purchase of certain products made available under a contract with the United States Department of Health and Human Services for the manufacture and delivery of such products in response to a public health emergency; repealing s. 383.325, F.S., relating to the requirement of a licensed facility under s. 383.305, F.S., to maintain inspection reports; amending s. 395.0197, F.S.; providing for a rebuttable presumption against negligence or malpractice claims for hospitals and their employees or independent contractors under specified circumstances; establishing components for the plan; repealing s. 395.1046, F.S., relating to the investigation of complaints regarding hospitals; repealing s. 395.3037, F.S.; deleting definitions relating to obsolete provisions governing primary and comprehensive stroke centers; amending s. 400.0239, F.S.; deleting an obsolete provision; repealing s. 400.147(10), F.S., relating to a requirement that a nursing home facility report any notice of a filing of a claim for a violation of a resident's rights or a claim of negligence; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; repealing s. 400.195, F.S., relating to reporting requirements for the Agency for Health Care Administration; amending s. 400.476, F.S.; providing requirements for an alternate administrator of a home health agency; revising the duties of the administrator; revising the requirements for a director of nursing for a specified number of home health agencies; prohibiting a home health agency from using an individual as a home health aide unless the person has completed training and an evaluation program; requiring a home health aide to meet certain standards in order to be competent in performing certain tasks; requiring a home health agency and staff to comply with accepted professional standards; providing certain requirements for a written contract between certain personnel and the agency; requiring a home health agency to provide certain services through its employees; authorizing a home health agency to provide additional services with another organization; providing responsibilities of a home health agency when it provides home health aide services through another organization; requiring the home health agency to coordinate personnel who provide home health services; requiring personnel to communicate with the home health agency; amending s. 400.487, F.S.; requiring a home health agency to provide a patient or the patient's legal representative a copy of the agreement between the agency and the patient which specifies the home health services to be provided; providing the rights that are protected by the home health agency; requiring the home health agency to furnish nursing services by or under the supervision of a registered nurse; requiring the home health agency to provide therapy services through a qualified therapist or therapy assistant; providing

the duties and qualifications of a therapist and therapy assistant; requiring supervision by a physical therapist or occupational therapist of a physical therapist assistant or occupational therapy assistant; providing duties of a physical therapist assistant or occupational therapy assistant; providing for speech therapy services to be provided by a qualified speech-language pathologist or audiologist; providing for a plan of care; providing that only the staff of a home health agency may administer drugs and treatments as ordered by certain health professionals; providing requirements for verbal orders; providing duties of a registered nurse, licensed practical nurse, home health aide, and certified nursing assistant who work for a home health agency; providing for supervisory visits of services provided by a home health agency; repealing s. 408.802(11), F.S., relating to the applicability of the Health Care Licensing Procedures Act to private review agents; repealing s. 409.912(15)(e), (f), and (g), F.S., relating to a requirement for the Agency for Health Care Administration to submit a report to the Legislature regarding the operations of the CARE program; repealing s. 409.9122(13), F.S., relating to Medicaid managed prepaid plan minimum enrollment levels for plans operating in Miami-Dade County; amending s. 409.91255, F.S.; transferring administrative responsibility for the application procedure for federally qualified health centers from the Department of Health to the Agency for Health Care Administration; requiring the Florida Association of Community Health Centers, Inc., to provide support and assume administrative costs for the program; repealing s. 429.12(2), F.S., relating to the sale or transfer of ownership of an assisted living facility; repealing s. 429.23(5), F.S., relating to each assisted living facility's requirement to submit a report to the agency regarding liability claims filed against it; repealing s. 429.911(2)(a), F.S., relating to an intentional or negligent act materially affecting the health or safety of center participants as grounds for which the agency may take action against the owner of an adult day care center or its operator or employee; requiring persons who apply for licensure renewal as a dentist or dental hygienist to furnish certain information to the Department of Health in a dental workforce survey; requiring the Board of Dentistry to issue a nondisciplinary citation and a notice for failure to complete the survey within a specified time; providing notification requirements for the citation; requiring the department to serve as the coordinating body for the purpose of collecting, disseminating, and updating dental workforce data; requiring the department to maintain a database regarding the state's dental workforce; requiring the department to develop strategies to maximize federal and state programs and to work with an advisory body to address matters relating to the state's dental workforce; providing membership of the advisory body; providing for members of the advisory body to serve without compensation; requiring the department to act as a clearinghouse for collecting and disseminating information regarding the dental workforce; requiring the department and the board to adopt rules; providing legislative intent regarding implementation of the act within existing resources; amending s. 499.01, F.S.; authorizing certain business entities to pay for prescription drugs obtained by practitioners licensed under ch. 466, F.S.; amending s. 624.91, F.S.; revising the membership of the board of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; amending s. 381.0403, F.S.; deleting provisions relating to the program for graduate medical education innovations and the graduate medical education committee and report; conforming cross-references; amending s. 381.4018, F.S.; providing definitions; requiring the Department of Health to coordinate and enhance activities regarding the reentry of retired military and other physicians into the physician workforce; revising the list of governmental stakeholders that the department is required to work with regarding the state strategic plan and in assessing the state's physician workforce; creating the Physician Workforce Advisory Council; providing membership of the council; providing for appointments to the council; providing terms of membership; providing for removal of a council member; providing for a chair and vice chair of the council; providing that council members are not entitled to receive compensation or reimbursement for per diem or travel expenses; providing the duties of the council; establishing the physician workforce graduate medical education innovation pilot projects under the department; providing the purposes of the pilot projects; providing for the appropriation of state funds for the pilot projects; requiring the pilot projects to meet certain policy needs

of the physician workforce in this state; providing criteria for prioritizing proposals for pilot projects; requiring the department to adopt by rule appropriate performance measures; requiring participating pilot projects to submit an annual report to the department; requiring state funds to be used to supplement funds from other sources; requiring the department to adopt rules; amending ss. 458.3192 and 459.0082, F.S.; requiring the department to determine by geographic area and specialty the number of physicians and osteopathic physicians who plan to relocate outside the state, practice medicine in this state, and reduce or modify the scope of their practice; authorizing the department to report additional information in its findings to the Governor and the Legislature; amending s. 458.315, F.S.; revising the standards for the Board of Medicine to issue a temporary certificate to a certain physicians to practice medicine in areas of critical need; authorizing the State Surgeon General to designate areas of critical need; creating s. 459.0076, F.S.; authorizing the Board of Osteopathic Medicine to issue temporary certificates to osteopathic physicians who meet certain requirements to practice osteopathic medicine in areas of critical need; providing restrictions for issuance of a temporary certificate; authorizing the State Surgeon General to designate areas of critical need; authorizing the Board of Osteopathic Medicine to waive the application fee and licensure fees for obtaining temporary certificates for certain purposes; providing an effective date.

—was taken up, having been read the second time, and amended, earlier today.

On motion by Rep. Frishe, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Frishe offered the following:

(Amendment Bar Code: 012299)

Amendment 15—Remove line 1234 and insert:
statutory teaching hospitals, specialty children's hospitals, statutory rural hospitals, other

Rep. Frishe moved the adoption of the amendment, which was adopted.

Representative Flores offered the following:

(Amendment Bar Code: 363825)

Amendment 16 (with title amendment)—Between lines 1593 and 1594, insert:

Section 27. Paragraph (l) of subsection (4) of section 400.9905, Florida Statutes, is amended to read:

400.9905 Definitions.—

(4) "Clinic" means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(l) Orthotic, ~~or~~ prosthetic, pediatric cardiology, or perinatology clinical facilities that are a publicly traded corporation or that are wholly owned, directly or indirectly, by a publicly traded corporation. As used in this paragraph, a publicly traded corporation is a corporation that issues securities traded on an exchange registered with the United States Securities and Exchange Commission as a national securities exchange.

TITLE AMENDMENT

Remove line 160 and insert:
adopt rules; amending s. 400.9905, F.S.; revising the definition of the term "clinic"; amending ss. 458.3192 and 459.0082, F.S.;

Rep. Flores moved the adoption of the amendment, which was adopted.

Representative Fresen offered the following:

(Amendment Bar Code: 378907)

Amendment 17 (with title amendment)—Between lines 1833 and 1834, insert:

Section 31. Subsection (5) is added to section 480.041, Florida Statutes, to read:

480.041 Massage therapists; qualifications; temporary permit; licensure; endorsement.—

(5)(a) If the board determines that an applicant has met all of the qualifications for licensure under this section, with the exception of paragraphs (1)(c) and (4)(b) and (c), and the applicant is a graduate from an accredited school recognized by the United States Department of Education, the board may issue the applicant a temporary permit to practice massage therapy.

(b) If an applicant desires to practice massage therapy before becoming licensed through examination and has completed a course of study at a board-approved massage school, the applicant may apply for a temporary permit in accordance with rules adopted pursuant to this chapter.

(c) A temporary permit issued by the board is valid until the applicant fails the massage licensure examination or the applicant receives a massage license, but for no longer than 6 months.

(d) An applicant for licensure by examination practicing under a temporary permit shall do so only under the supervision of a licensed massage therapist with a full, active, and unencumbered license.

Section 32. Paragraph (m) is added to subsection (1) of section 480.044, Florida Statutes, to read:

480.044 Fees; disposition.—

(1) The board shall set fees according to the following schedule:

(m) Temporary permit fee: not to exceed \$50.

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; amending s. 480.041, F.S.; authorizing the Board of Massage Therapy to issue a temporary permit to practice massage therapy under certain circumstances; authorizing an applicant to apply for a temporary permit; providing for time of validity of temporary permits; providing for supervision of applicants for a temporary permit; amending s. 480.044, F.S.; providing for a temporary permit fee; providing an effective date.

Rep. Fresen moved the adoption of the amendment. Further consideration of **Amendment 17** was temporarily postponed.

Representative Flores offered the following:

(Amendment Bar Code: 932267)

Amendment 18 (with title amendment)—Between lines 1833 and 1834, insert:

Section 31. Paragraph (i) is added to subsection (3) of section 499.01212, Florida Statutes, to read:

499.01212 Pedigree paper.—

(3) EXCEPTIONS.—A pedigree paper is not required for:

(i) The wholesale distribution of prescription drugs within a medical convenience kit if:

1. The medical convenience kit is assembled in an establishment that is registered with the United States Food and Drug Administration as a medical device manufacturer;

2. The medical convenience kit manufacturer is an authorized distributor of record, as defined by 21 C.F.R. s. 203.3, for the manufacturer of the specific drugs contained within the kit; and

3. The drugs contained in the medical convenience kit are:

a. Intravenous solutions intended for the replenishment of fluids and electrolytes;

b. Products intended to maintain the equilibrium of water and minerals in the body;

c. Products intended for irrigation or reconstitution;

d. Anesthetics; or

e. Anticoagulants.

This paragraph does not apply to a medical convenience kit containing any controlled substance that appears in any schedule contained in or subject to chapter 893 or the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; amending s. 499.01212, F.S.; exempting prescription drugs contained in sealed medical convenience kits from the pedigree paper requirements under specified circumstances; providing an effective date.

Rep. Flores moved the adoption of the amendment, which was adopted.

Representatives Dorworth and Horner offered the following:

(Amendment Bar Code: 607615)

Amendment 19 (with title amendment)—Between lines 1833 and 1834, insert:

Section 31. Section 390.027, Florida Statutes, is created to read:

390.027 Restrictions on use of funds for state exchanges.—

(1) Abortion coverage may not be provided in this state by a health plan purchased in whole or in part with state or federal funds through an exchange created pursuant to the federal Patient Protection and Affordable Care Act.

(2) For purposes of this section:

(a) The term "state" means the State of Florida or any of its political subdivisions.

(b) A plan shall be deemed to have been purchased with state or federal funds if it is a plan toward which any tax credit or cost-sharing reduction is applied.

(3) This section shall not apply to coverage for an abortion that is performed that is performed when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy, or when the pregnancy resulted from an act of rape or incest.

(4) This section may not be construed to prevent a health plan from providing any private person or entity with separate coverage for abortions, provided such coverage is not purchased, in whole or in part, with state or federal funds.

(5) If a court enjoins or declares subsection (1) invalid, abortion coverage may not be provided in this state by a health plan purchased through an exchange created under the federal Patient Protection and Affordable Care Act, subject to the exception provided in subsection (3).

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; creating s. 390.027, F.S.; prohibiting the use of state or federal funds to provide coverage for abortions in an exchange created pursuant to federal law; specifying conditions under which a health plan is deemed to be purchased with state or federal funds; providing exceptions; providing a definition; providing construction; prohibiting abortion coverage if a court declares certain provisions of the section invalid; providing an effective date.

Rep. Dorworth moved the adoption of the amendment. Further consideration of **Amendment 19** was temporarily postponed.

Representative Flores offered the following:

(Amendment Bar Code: 864189)

Amendment 20 (with title amendment)—Between lines 1833 and 1834, insert:

Section 31. Subsection (1) of section 465.0251, Florida Statutes, is amended to read:

465.0251 Generic drugs; removal from formulary under specified circumstances.—

(1) The Board of Pharmacy and the Board of Medicine shall remove any generic named drug product from the formulary established by s. 465.025(6), if every commercially marketed equivalent of that drug product is "A" rated as therapeutically equivalent to a reference listed drug or is a reference listed drug as referred to in the 2009 edition of "Approved Drug Products with Therapeutic Equivalence Evaluations" (Orange Book, 29th edition) published by the United States Food and Drug Administration.

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; amending s. 465.0251, F.S.; requiring the Board of Pharmacy and the Board of Medicine to remove certain drugs from the negative formulary for generic and brand-name drugs based on current references published by the United States Food and Drug Administration; providing an effective date.

Rep. Flores moved the adoption of the amendment.

Representative Flores offered the following:

(Amendment Bar Code: 532749)

Substitute Amendment 20 (with title amendment)—Remove lines 1833-1834 and insert:

Section 31. Subsection (1) of section 465.0251, Florida Statutes, is reenacted to read:

465.0251 Generic drugs; removal from formulary under specified circumstances.—

(1) The Board of Pharmacy and the Board of Medicine shall remove any generic named drug product from the formulary established by s. 465.025(6), if every commercially marketed equivalent of that drug product is "A" rated as therapeutically equivalent to a reference listed drug or is a reference listed drug as referred to in "Approved Drug Products with Therapeutic Equivalence Evaluations" (Orange Book) published by the United States Food and Drug Administration.

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; reenacting s. 465.0251, F.S., to require the Board of Pharmacy and the Board of Medicine to remove certain drugs from the negative formulary for generic and brand-name drugs based on current references published by the United States Food and Drug Administration; providing an effective date.

Rep. Flores moved the adoption of the substitute amendment, which was adopted.

On motion by Rep. Porth, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Porth offered the following:

(Amendment Bar Code: 823217)

Amendment 21 (with title amendment)—Between lines 1833 and 1834, insert:

Section 31. Subsection (8) is added to section 406.06, Florida Statutes, to read:

406.06 District medical examiners; associates; suspension of medical examiners.—

(8) If a district medical examiner is unable to appoint a sufficient number of associate medical examiners licensed under chapter 458 or chapter 459 to provide service at all times and all places within the district, the district medical examiner may appoint a physician or physicians licensed to practice medicine in any other state to serve as temporary associate medical examiners. Upon accepting a position as a temporary associate medical examiner, the physician shall apply for an active license to practice medicine under chapter 458 or chapter 459. A temporary associate medical examiner shall not serve in such capacity for a period exceeding 12 months and may not engage in the private practice of medicine or surgery.

TITLE AMENDMENT

Remove line 181 and insert:

certain purposes; amending s. 406.06, F.S.; authorizing district medical examiners to appoint physicians as temporary associate medical examiners under certain circumstances; providing requirements and limitations for temporary associate medical examiners; providing an effective date.

Rep. Porth moved the adoption of the amendment. Further consideration of **Amendment 21** was temporarily postponed.

On motion by Rep. Nelson, by the required two-thirds vote, the House agreed to consider the following late-filed amendment. Subsequently, the amendment was withdrawn.

On motion by Rep. Fresen, by the required two-thirds vote, the House agreed to consider the following late-filed amendment. Subsequently, the amendment was withdrawn.

Reconsideration

On motion by Rep. Patronis, the House agreed to reconsider the vote by which **Amendment 12** on **CS/CS/HB 1503** was adopted earlier today. The question recurred on the adoption of the amendment, which was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Cannon moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 9:30 a.m., Friday, April 23, 2010, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 105.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 143.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1291.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7091.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7093.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7111.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7123.

R. Philip Twogood, Secretary

The above bill was ordered enrolled.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 2054, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Committee on Transportation; and Senator Gaetz—

CS/SB 2054—A bill to be entitled An act relating to road designations; designating Doolittle Raiders Highway in Okaloosa and Walton Counties; designating Beach Highway in Walton County; designating K. Earl Durden Highway in Bay County; directing the Department of Transportation to erect markers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed SB 2284, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By Senator Negron—

SB 2284—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in the year 2012; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Clarke-Reed:

Yeas—April 21: 851

Rep. Coley:

Yeas—April 21: 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 854, 868

Nays—April 21: 856, 857, 858, 860, 862, 867

Rep. Domino:

Yeas—April 21: 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 854, 868

Nays—April 21: 856, 857, 858, 860, 862, 867

Rep. Fresen:

Yeas—April 21: 851

Nays—April 21: 860, 862

Rep. Grady:

Yeas—April 21: 843

Rep. Hays:

Yeas—March 16: 572

Nays—April 1: 657

Nays to Yeas—April 1: 657

Rep. O'Toole:

Nays—April 21: 858

Rep. Ray:

Yeas—April 19: 792; April 21: 856

Nays—April 21: 857, 858

Rep. Y. Roberson:

Yeas—March 18: 582, 583

Nays—March 18: 584, 585

Rep. Tobia:

Yeas—April 15: 775

Rep. Troutman:

Yeas—March 23: 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613; April 20: 813, 824

First-named Sponsors

HB 7243—Rehwinkel Vasilinda

Cosponsors

HB 7—Bush, Tobia

HJR 15—Zapata

CS/HB 97—Van Zant

CS/HB 129—Drake

CS/HB 317—Bovo

CS/CS/HB 325—Ambler, Frishe, Heller, Rader, Schultz

HB 387—Llorente, T. Williams

CS/CS/HB 447—Ambler

CS/HB 467—Steinberg

CS/CS/HB 513—Robaina

CS/CS/CS/HB 631—Nehr

CS/CS/HB 633—Kiar

CS/CS/CS/HB 665—Fitzgerald

CS/CS/HB 869—Burgin

HB 905—Tobia

CS/CS/HB 965—Fetterman, Kriseman

CS/HB 1003—Murzin

CS/CS/HB 1107—Ambler

CS/HB 1113—Patronis, Weatherford

CS/HB 1145—Eisnaugle, Murzin

HB 1159—Ambler

CS/HB 1455—Drake, Eisnaugle

HM 1459—Zapata

CS/HB 7129—Ambler, Evers

CS/HB 7179—Ford

HCR 8001—Drake

HR 9043—Zapata

HR 9091—Zapata

HR 9095—Zapata

HR 9115—Zapata

HR 9133—Zapata

Withdrawals as Cosponsor

CS/HM 1583—Coley

First Reading of Council and Committee Substitutes by Publication

By the Full Appropriations Council on Education & Economic Development; and PreK-12 Policy Committee; Representatives Nelson and Patterson—

CS/CS/HB 1203—A bill to be entitled An act relating to early learning; amending s. 39.0121, F.S.; deleting an obsolete reference to the repealed subsidized child care program; amending s. 39.202, F.S.; replacing an obsolete reference to a repealed program with an updated reference to the school readiness program; authorizing county agencies responsible for licensure or approval of child care providers to be granted access to certain confidential reports and records in cases of child abuse or neglect; amending s. 39.5085, F.S.; deleting an obsolete reference to a repealed program; amending s. 383.14, F.S.; replacing obsolete references to the former State Coordinating Council for School Readiness Programs with updated references to the Agency for Workforce Innovation; transferring, renumbering, and amending s. 402.25, F.S.; updating an obsolete reference to a repealed program; deleting obsolete references relating to the repealed prekindergarten early intervention program and Florida First Start Program; amending s. 402.26, F.S.; revising legislative intent; updating an obsolete reference to a repealed program; amending s. 402.281, F.S.; establishing the Gold Seal Quality Care program within the Department of Children and Family Services; providing that child care facilities, large family child care homes, and family day care homes may receive a Gold Seal Quality Care designation if accredited by a nationally recognized accrediting association and meeting certain requirements; requiring that the department adopt rules establishing accrediting standards; requiring that an accrediting association apply to the department for participation in the program; revising the entities with which the department must consult regarding the approval of accrediting associations; transferring and renumbering s. 402.3016, F.S., relating to Early Head Start collaboration grants; transferring, renumbering, and amending s. 402.3018, F.S.; transferring administration of the statewide toll-free Warm-Line from the department to the agency; conforming provisions; transferring, renumbering, and amending s. 402.3051, F.S.; revising procedures for child care market rate reimbursement and child care grants; transferring authority to establish the procedures from the department to the agency; directing the agency to adopt a prevailing market rate schedule for child care services; revising definitions; authorizing the agency to enter into contracts and adopt rules; amending s. 402.313, F.S.; deleting obsolete provisions authorizing the department to license family day care homes participating in a repealed program; repealing s. 402.3135, F.S., relating to the subsidized child care program case management program; transferring, renumbering, and amending s. 402.3145, F.S.; transferring administration of certain transportation services for children at risk of abuse or neglect from the department to the agency; revising requirements for the provision of such transportation services; amending s. 402.315, F.S.; revising provisions relating to fees collected for child care facilities; amending s. 402.45, F.S.; updating an obsolete reference relating to a former council; directing the Department of Health to consult with the agency regarding certain training provided for contractors of the community resource mother or father program; amending s. 409.1671, F.S.; clarifying that a licensed foster home

may be dually licensed as a family day care home or large family child care home and receive certain payments for the same child; deleting an obsolete reference to a repealed program; amending s. 411.01, F.S.; revising provisions relating to the School Readiness Act; revising legislative intent; revising the duties and responsibilities of the Agency for Workforce Innovation; revising provisions for school readiness plans; specifying that certain program providers' compliance with licensing standards satisfies certain health screening requirements; requiring early learning coalitions to maintain certain direct enhancement services; deleting obsolete provisions relating to the merger of early learning coalitions; revising provisions for the membership of early learning coalitions and the voting privileges of such members; revising requirements for parental choice; directing the agency to establish a formula for allocating school readiness funds to each county; providing for legislative notice and review of the formula; amending s. 411.0101, F.S.; revising requirements for services provided by the statewide child care resource and referral network; updating obsolete references to repealed programs; amending s. 411.0102, F.S.; revising provisions relating to the Child Care Executive Partnership Act; updating obsolete references to repealed programs; deleting provisions relating to the duties of each early coalition board; amending s. 411.203, F.S.; deleting an obsolete reference to a repealed program; conforming provisions; amending s. 411.221, F.S.; updating an obsolete reference to a former council; amending ss. 445.024, 445.030, 490.014, and 491.014, F.S.; deleting obsolete references to repealed programs; conforming provisions to the repeal of the subsidized child care case management program; amending ss. 1002.53, 1002.55, 1002.67, and 1002.71, F.S.; revising provisions relating to the eligibility requirements for private prekindergarten providers; conforming provisions to changes made by the act; amending s. 1002.69, F.S.; authorizing the State Board of Education to grant good cause exemptions from private prekindergarten providers' and private schools' ineligibility to deliver the Voluntary Prekindergarten Education Program under certain circumstances; amending s. 1002.73, F.S.; authorizing the Department of Education to adopt procedures for the granting of good cause exemptions; amending s. 1009.64, F.S.; deleting an obsolete reference to a repealed program; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Full Appropriations Council on Education & Economic Development; and Agriculture & Natural Resources Policy Committee; Representatives Hays, Holder, and Mayfield—

CS/CS for HB 1407, HB 1367 & HB 1605—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; revising provisions relating to the membership of basin boards; specifying the terms of service for basin board members designated by district governing board chairs; providing that basin board members designated by district governing board chairs are voting members and counted for quorum purposes; providing for designated district governing board members to serve as basin board chairs and co-chairs; authorizing basin boards to transact official business under certain conditions; revising provisions relating to the membership of the Manasota Basin Board; providing for the designation of a member of the district governing board to serve on the basin board; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; creating s. 373.0725, F.S.; establishing a water management district governing board nominating commission; providing criteria for governing board member nominees; providing for the appointment of commission members by the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing for terms and duties of commission members; requiring the Executive Office of the Governor to provide administrative support to the commission and to adopt rules; amending s. 373.089, F.S.; requiring governing boards to review and make available for purchase specified lands; amending s. 112.3145, F.S.; providing that members of the water management district governing board nominating commission are state officers for purposes of financial disclosure requirements; amending s. 373.228, F.S.; revising provisions relating to the authority of local governments to adopt and implement, by ordinance,

specified landscape irrigation restrictions; amending s. 298.66, F.S.; revising provisions prohibiting the obstruction of certain drainage works; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/CS/HB 645—Referred to the Calendar of the House.

HR 9007—Referred to the Calendar of the House.

HR 9035—Referred to the Calendar of the House.

HR 9095—Referred to the Calendar of the House.

House Resolutions Adopted by Publication

At the request of Rep. Porth—

HR 9005—A resolution recognizing August 10, 2010, as "Little People of America Day" in Florida.

WHEREAS, Little People of America, Inc., is a national nonprofit organization that provides support and information to people of short stature and their families and is the only dwarfism support organization that includes all forms of dwarfism, and

WHEREAS, in 1957, well-known actor Billy Barty made a national public appeal for all little people in America to join him for a gathering in Reno, Nevada, and thus Little People of America was formed, and

WHEREAS, today, Little People of America has more than 6,000 members internationally and has 14 districts and 70 chapters, and

WHEREAS, Little People of America provides social interaction, parent and peer support, medical support and education, and scholarships and grants, and its members include both little people and people of average height, ranging from newborns to senior citizens, and

WHEREAS, Little People of America offers information on employment, education, disability rights, adoption, medical issues, clothing, adaptive products, and the many stages of parenting a short-statured child from birth to adulthood, and

WHEREAS, Little People of America is dedicated to improving the quality of life for people with dwarfism throughout their lives while celebrating with great pride little people's contribution to social diversity, and

WHEREAS, Little People of America strives to promote global awareness of and offer solutions to the prominent issues affecting individuals of short stature and their families, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That August 10, 2010, is recognized as "Little People of America Day" in Florida.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Braynon—

HR 9059—A resolution recognizing the 2009 Miramar High School Football Team, winners of the Florida High School Athletic Association Class 6A State Championship.

WHEREAS, with commitment, determination, and hard work, the 2009 Miramar High School Football Team won the Florida High School Athletic Association Class 6A State Championship on December 19, 2009, at the Florida Citrus Bowl by beating DeLand High School by a score of 42 to 20, and

WHEREAS, claiming the State Championship title, the 2009 Miramar High School Football Team finished the season with a 14-1 record, and

WHEREAS, led by Head Coach Damon Cogdell, the 2009 Miramar High School Football Team consistently demonstrated outstanding skill, sportsmanship, and competitiveness throughout their remarkable season, and

WHEREAS, the 2009 championship marks the first Florida High School Athletic Association State Championship for the Miramar High School Football Team and the first Class 6A State Championship for a Broward County team, and

WHEREAS, it is with great pride that the 2009 Miramar High School Football Team is applauded for the historic accomplishments of its players and coaches and for the team's contributions to both student athletics and the community, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives honors the 2009 Miramar High School Football Team for their outstanding record and for winning the 2009 Florida High School Athletic Association Class 6A State Championship.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the 2009 Miramar High School Football Team as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Soto—

HR 9069—A resolution expressing support for the issuance of a commemorative United States postage stamp honoring Puerto Rico's 65th Infantry Regiment, "The Borinqueneers."

WHEREAS, Puerto Ricans have participated in every major American military conflict, from the American Revolution, when volunteers from Puerto Rico, Cuba, and Mexico fought the British in 1779 under the command of General Bernardo de Gálvez, to the current military operations in Iraq, and

WHEREAS, however, it was the 65th Infantry Regiment, a volunteer regiment created in 1899, comprised primarily of Puerto Ricans and nicknamed "The Borinqueneers," that engaged in extensive combat and distinguished itself and the contributions of Puerto Rican soldiers to the defense of the United States most notably, and

WHEREAS, the 65th Infantry Regiment was created on March 2, 1899, as the Puerto Rico Battalion of Volunteer Infantry to assist in reestablishing law and order in Puerto Rico following the seizure of the island in 1898 during the Spanish-American War, and

WHEREAS, the battalion proved so successful that the following year it was expanded into the Puerto Rico Regiment of U.S. Volunteers and in 1901 became the Puerto Rico Provisional Regiment of Infantry, and

WHEREAS, on June 30, 1908, the regiment became part of the regular Army and was renamed the Puerto Rico Regiment of the United States Army, and

WHEREAS, in World War I, 1,969 Puerto Rican troops voluntarily enlisted in military service and, one year later, were sent to Panama in defense of the Panama Canal Zone, and

WHEREAS, during World War II, the 65th Infantry Regiment landed in Italy and France and served in various capacities across Europe, from engaging in anti-sabotage and security missions in Germany to fighting in the Battles of Naples-Fogis, Rome-Arno, Central Europe, and the Rhineland, and

WHEREAS, during the Korean War, the 65th Infantry Regiment, a force of 6,000 troops by that time, was organized into three infantry battalions, one artillery battalion, and a tank company and attached to the Army's 3rd Division, and

WHEREAS, it was during the long sea voyage to Korea that the men nicknamed the 65th Infantry Regiment "The Borinqueneers," and

WHEREAS, A total of 61,000 Puerto Rican soldiers served in Korea, most of them volunteers, with approximately 750 Puerto Ricans from all four branches of the United States Armed Forces losing their lives in the Korean War, and

WHEREAS, among the men of the 65th Infantry Regiment serving in Korea, nine were awarded the Distinguished Service Cross, 163 were awarded Silver Star Medals, and 562 were awarded Bronze Star Medals, and

WHEREAS, as a unit, the 65th Infantry Regiment twice received the Presidential Unit Citation, the Republic of Korea Presidential Unit Citation, and the Meritorious Unit Commendation, and

WHEREAS, following the Korean War, the 65th Infantry Regiment returned to Puerto Rico and was deactivated in 1956, and

WHEREAS, following its deactivation, the Department of the Army transferred the 65th Infantry Regiment from the regular Army to the Puerto Rico National Guard, thus making the 65th Infantry Regiment the only unit ever transferred as an active component of the United States Army to the National Guard, and

WHEREAS, Puerto Rico honored the 65th Infantry Regiment by naming one of its principal avenues "La 65 de Infanteria" in San Juan, Puerto Rico, and

WHEREAS, On May 20, 2001, the government of Puerto Rico unveiled a monument honoring the 65th Infantry Regiment which contains a statue of a soldier wearing a poncho with his rifle in one hand and the regiment's flag in the other hand, and

WHEREAS, On February 12, 1951, General Douglas MacArthur, was quoted in Tokyo as saying "The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea . . . are writing a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them," and

WHEREAS, because the contributions and sacrifices of Puerto Ricans serving as Borinqueneers have gone largely unnoticed and unheralded, a commemorative United States postage stamp would serve as a fitting tribute to Puerto Rico's 65th Infantry Regiment and as a means by which the American public could become better educated with respect to the Borinqueneers' dedicated service in defense of the United States, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives would be honored if the United States Postal Service were to issue a commemorative postage stamp as a fitting tribute to Puerto Rico's 65th Infantry Regiment, "The Borinqueneers," and as a means by which the American public might gain an increased awareness of the Borinqueneers' extraordinary service to our nation.

BE IT FURTHER RESOLVED that the House of Representatives would be honored if the Citizens' Stamp Advisory Committee supported a recommendation to the Postmaster General of the United States that such a commemorative stamp honoring Puerto Rico's 65th Infantry Regiment, "The Borinqueneers," be issued by the United States Postal Service.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Luis Fortuño, Governor of the Commonwealth of Puerto Rico, to the Senate and the House of Representatives of the Legislative Assembly of the Commonwealth of Puerto Rico, to the Citizens' Stamp Advisory Committee of the United States Postal Service, and to John E. Potter, United States Postmaster General.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Pafford—

HR 9071—A resolution recognizing the accomplishments and contributions of Pine Jog Environmental Education Center on the occasion of its 50th anniversary.

WHEREAS, Pine Jog Environmental Education Center, a unit of the College of Education of Florida Atlantic University, is one of the oldest nature centers in the United States, annually serving more than 25,000 students, 750 teachers, and 12,500 adults and families from Palm Beach County and surrounding counties, and

WHEREAS, Pine Jog Environmental Education Center is nationally recognized regarding the development and delivery of hands-on educational

experiences that encourage young people to become knowledgeable stewards of the natural world, and

WHEREAS, Pine Jog Environmental Education Center is the home of Pine Jog Elementary School, one of the first public schools in Florida to be awarded LEED Gold Certification by the U.S. Green Building Council, and

WHEREAS, Pine Jog Environmental Education Center is helping to ensure the future of environmental education in Florida by offering educator professional development workshops and summer institutes as well as a master's degree program in environmental education and an undergraduate fellowship in civic engagement and service learning, and

WHEREAS, this year Pine Jog Environmental Education Center is marking a half-century of providing truly exemplary service to the people of Florida through its dedicated staff, innovative programs, day and residential camps, and excellent facilities, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives congratulates and commends Pine Jog Environmental Education Center for 50 years of accomplishment in promoting the protection and preservation of Florida's unique, precious, and irreplaceable natural environment through environmental education.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Soto—

HR 9077—A resolution recognizing Joseph Michael Acaba, Mission Specialist Educator of Space Shuttle Discovery mission STS-119.

WHEREAS, Joseph Michael "Joe" Acaba was born on May 17, 1967, in Inglewood, California, graduated from Anaheim's Esperanza High School, and received his bachelor's degree in geology from the University of California, Santa Barbara, and his master's degree in geology from the University of Arizona, and

WHEREAS, following his postgraduate studies, Joe Acaba served in the United States Marine Corps Reserves, where he attained the rank of Sergeant, and later spent 2 years in the United States Peace Corps training over 300 teachers in the Dominican Republic in modern teaching methodologies, and

WHEREAS, following his service in the United States Peace Corps, Joe Acaba moved to the Commonwealth of the Bahamas and served as Island Manager of Caribbean Marine Research at Lee Stocking Island, and

WHEREAS, upon his return to the United States, Joe Acaba moved to Florida where he became the Shoreline Revegetation Coordinator in Vero Beach and taught science and math for 1 year at Melbourne High School and for 4 years at Dunnellon Middle School, and

WHEREAS, on May 6, 2004, Joe Acaba and 10 others were selected from 99 applicants by NASA as candidates for NASA Astronaut Training Group 1, becoming the first person of Puerto Rican heritage to be named as a NASA astronaut candidate, and

WHEREAS, Joe Acaba was assigned the position of Mission Specialist Educator of Space Shuttle Discovery mission STS-119 that was launched on March 15, 2009, at 7:43 p.m., and

WHEREAS, on March 20, 2009, Joe Acaba provided support to the first STS-119 mission spacewalk, and

WHEREAS, on March 21, 2009, Joe Acaba performed a spacewalk in which he helped to successfully unfurl the final "wings" of the solar array that augmented power to the International Space Station as it prepared to double its capacity to house six future astronauts, and

WHEREAS, on March 28, 2009, the Space Shuttle Discovery and its crew of seven, including Joe Acaba, safely touched down at NASA's Kennedy Space Center in Florida, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives congratulates Joseph Michael Acaba for his outstanding achievements and recognizes and commends his service as Mission Specialist Educator of Space Shuttle Discovery mission STS-119.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Joseph Michael Acaba as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Braynon—

HR 9081—A resolution recognizing the Miami Norland High School Girls' Basketball Team, winners of the 2010 Florida High School Athletic Association Class 4A State Championship.

WHEREAS, with determination, skill, and perseverance the 2009-2010 Miami Norland High School Girls' Basketball Team won the Florida High School Athletic Association Class 4A State Championship on February 27, 2010, at The Lakeland Center by defeating Pensacola High by a score of 43-38 in overtime, and

WHEREAS, with a 27-2 record, the 2009-2010 Miami Norland Girls' Basketball Team posted back-to-back wins in the girls' basketball state championships, the second Miami-Dade public school to do so, but the first school to win consecutive titles in two classifications, and

WHEREAS, in the last two seasons the Miami Norland Vikings have compiled an impressive record of 59-2, posting its only losses in overtime, and

WHEREAS, Miami Norland is the only Miami-Dade high school to win four state championships between its girls' and boys' teams in a five-year span, and

WHEREAS, it is with great enthusiasm that the 2009-2010 Miami Norland High School Girls' Basketball Team is applauded for the accomplishments of its players and coaches and for the team's contributions to its school and community, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives honors the 2009-2010 Miami Norland High School Girls' Basketball Team for their outstanding record and for winning the 2010 Florida High School Athletic Association Class 4A State Championship.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the 2009-2010 Miami Norland High School Girls' Basketball Team as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Kiar—

HR 9085—A resolution recognizing the outstanding achievements of Palm Beach Atlantic University, a recipient of the 2009 President's Higher Education Community Service Honor Roll with Distinction Award.

WHEREAS, it is essential that colleges and universities establish programs promoting service in the community, which not only ensures that communities are helped but also provides each student with the knowledge and abilities required to be successful and compassionate in his or her future endeavors, and

WHEREAS, the Palm Beach Atlantic University Workshop Program, which was instituted in 1968, completed its two-millionth service hour this past semester, and

WHEREAS, the President's Higher Education Community Service Honor Roll with Distinction Award is the highest federal recognition a college or university can receive for its commitment to volunteering, service-learning, and civic engagement, and members of the honor roll are chosen based on scope and innovation of service projects as well as the percentage of student participation in such service activities, and

WHEREAS, the Corporation for National and Community Service presented the 2009 President's Higher Education Community Service Honor Roll with Distinction Award to Palm Beach Atlantic University, a university that serves more than 3,200 students, and

WHEREAS, Palm Beach Atlantic University and its Workshop Program are dedicated to improving the community and the condition of its citizens, inspiring lifelong volunteerism, teaching the value of teamwork, and creating a tradition of caring, and

WHEREAS, the President's Higher Education Community Service Honor Roll Program applauds this extraordinary institution and raises awareness of its efforts among the community and other schools, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That, on behalf of the residents of the great State of Florida, the House of Representatives recognizes and congratulates Palm Beach Atlantic University for being selected by the Corporation for National and Community Service as a member of the 2009 President's Higher Education Community Service Honor Roll with Distinction.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Hukill—

HR 9089—A resolution recognizing May 2010 as "Power to End Stroke Month" in Florida.

WHEREAS, stroke is the third leading cause of death in the United States, striking about 700,000 Americans each year and killing 150,000, and

WHEREAS, stroke is also a leading cause of serious long-term disability in the United States, with more than 1.1 million adults experiencing functional limitations or difficulty with activities of daily living resulting from stroke, and

WHEREAS, on the average, a stroke occurs every 45 seconds in the United States and takes a life every 3 minutes, and

WHEREAS, the estimated direct and indirect costs of stroke in the United States this year will be more than \$65.5 billion, and

WHEREAS, many Americans are unaware of their risk factors for a stroke and are unaware of the signs and symptoms of an impending stroke, and

WHEREAS, statistics show that African Americans have almost twice the risk of a first stroke compared to Caucasians, in part because of their increased risk of high blood pressure and diabetes, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives recognizes May 2010 as "Power to End Stroke Month" in Florida and urges all residents of this state to recognize that stroke must be taken seriously in order to reduce its risks.

BE IT FURTHER RESOLVED that the Florida House of Representatives urges all Floridians to become familiar with the warning signs, symptoms, and risk factors associated with stroke and live stronger, healthier lives.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Sachs—

HR 9107—A resolution honoring Florida's athletes for their athletic endeavors, commending the Governor's Council on Physical Fitness for its leadership, and recognizing Chris Evert for her contributions in promoting physical fitness.

WHEREAS, April 28, 2010, Fitness Day at the Capitol, is an appropriate time for the House of Representatives to recognize and honor those athletes who represented the State of Florida in the Games of the XXIX Summer Olympiad and XXI Winter Olympiad, the 2008 Summer Paralympics and 2010 Winter Paralympics, and the 2007 Special Olympics World Summer Games and 2009 Special Olympics World Winter Games, and

WHEREAS, Fitness Day at the Capitol is a product of the state plan of action created by the Governor's Council on Physical Fitness, which is comprised of individuals with diverse and varied backgrounds, including physicians, educators, students, nutritionists, professional athletes, and former Olympians, and

WHEREAS, we recognize the former Olympians serving on the Council, Jennifer Capriati, Nancy Hogshead-Makar, Shannon Miller, Dorothy "Dot" Richardson, and Dara Torres, who give of their time and effort to promote a healthy Florida, and

WHEREAS, it is essential to promote health and wellness, to increase physical fitness through regular exercise and sound nutrition practices, and to reduce the rate of obesity and resulting chronic diseases for Floridians of all ages, and

WHEREAS, Florida's Olympians, Paralympians, and Special Olympians are role models who demonstrate the virtues and positive results of a healthy lifestyle that includes physical fitness, and

WHEREAS, due to years of hard work and preparation in both mind and body, these men and women persevered to reach the highest level of their respective athletic disciplines, representing their home state with honor, and

WHEREAS, espousing the Olympic motto of "Citius, Altius, Fortius," all of Florida's Olympians endeavor to achieve this higher standard of "Faster, Higher, Stronger," and

WHEREAS, twenty-five Floridians participated in the XXIX Summer Olympic Games held in Beijing, China, in 2008: Laura Bennett, North Palm Beach, Triathlon; James Blake, Tampa, Tennis; Damu Cherry, Tampa, Track and Field; Chris Colwill, Brandon, Diving; Rafeeq Curry, Miami, Track and Field; Phil Dalhausser, Ormond Beach, Volleyball; Walter Dix, Coral Springs, Track and Field; Dwight Howard, Longwood, Basketball; Hunter Kemper, Longwood, Triathlon; Kelly Kretschman, Indian Harbour Beach, Softball; Matthew LaPorta, Port Charlotte, Baseball; Ryan Lochte, Daytona Beach, Swimming; David Oliver, Orlando, Track and Field; Brian Olson, Tallahassee, Judo; Zach Railey, Clearwater, Sailing; Nancy Rios, Miami, Sailing; Tiffany Ross-Williams, Miami, Track and Field; Calvin Smith, Gainesville, Track and Field; Nathan Sturgis, St. Augustine, Soccer; Jevon Tarantino, Boca Raton, Diving; Dara Torres, Jupiter, Swimming; Anna Tunnicliffe, Fort Lauderdale, Sailing; Lauryn Williams, Miami, Track and Field; Serena Williams, Palm Beach Gardens, Tennis; and Venus Williams, Palm Beach Gardens, Tennis, and

WHEREAS, five Floridians participated in the XXI Winter Olympic Games held in Vancouver, British Columbia, Canada, in 2010: Jeremy Barrett, Venice, Figure Skating; Caydee Denney, Wesley Chapel, Figure Skating; Mark Ladwig, Bradenton, Figure Skating; Jennifer Rodriguez, Miami, Speed Skating; and Jason Smith, Cape Coral, Curling, and

WHEREAS, many outstanding athletes represented Florida as United States team members competing in the 2008 Summer Paralympics, the 2010 Winter Paralympics, the 2007 Special Olympics World Summer Games, and the 2009 Special Olympics World Winter Games, and

WHEREAS, all Florida's Olympians, Paralympians, and Special Olympians, along with Florida's youth, collegiate, and professional athletes, deserve acclamation for demonstrating the importance of physical fitness as part of a healthy lifestyle, and

WHEREAS, Fitness Day at the Capitol is also an appropriate time to recognize Floridian Chris Evert, tennis great and founder of the Evert Tennis Academy, for her contributions in promoting the physical fitness of Florida's youth, and

WHEREAS, Chris Evert serves as an example to Florida's children of how to become physically fit, incorporate fitness into everyday life, and maintain a healthy lifestyle that leads to a better future, and it is fitting that she be recognized as a spokesperson for physical fitness throughout the State of Florida, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives commends the effort and determination of Florida's Olympians, Paralympians, and Special Olympians, along with Florida's youth, collegiate, and professional athletes; commends the members of the Governor's Council on Physical Fitness for their leadership; and recognizes Chris Evert as Florida's spokesperson for physical fitness.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Governor's Council on Physical Fitness and to Chris Evert as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. A. Williams—

HR 9109—A resolution honoring Andre Dawson in the year of his induction into the Baseball Hall of Fame.

WHEREAS, on July 25, 2010, Andre Dawson, a native Floridian, will be inducted into the Baseball Hall of Fame at Cooperstown, New York, and

WHEREAS, in the 2010 balloting for the Hall of Fame, Andre Dawson was the only major league player to receive the 75 percent of the votes cast by the Baseball Writers' Association of America needed to gain entry to the Baseball Hall of Fame, and

WHEREAS, selected along with manager Whitey Herzog and umpire Doug Harvey, Andre Dawson will be the only major league player to be inducted into the Hall of Fame in 2010, and

WHEREAS, Andre Dawson graduated from Southwest Miami Senior High School and Florida A&M University and began his major league baseball career with the Montreal Expos, being named National League Rookie of the Year in 1977, and

WHEREAS, nicknamed "The Hawk," Dawson played his first eleven seasons with the Montreal Expos and, during his career there, hit .285 with 225 home runs and 838 RBIs, and was named to the National League All-Star team three times, and

WHEREAS, Dawson had 1,575 of his 2,774 career hits as a member of the Expos, won six of his eight Gold Glove awards in Montreal, and led the Expos to their only postseason series win with a five-game victory over the Philadelphia Phillies in 1981, and

WHEREAS, Dawson then played six seasons with the Chicago Cubs where he won the 1987 National League Most Valuable Player Award after batting .287 with 49 home runs and 137 RBIs, thus becoming the first member of a last-place team in major league history to earn a Most Valuable Player award, and

WHEREAS, Dawson then played for two years with the Boston Red Sox in the American League and for two years with the Florida Marlins in the National League before retiring in 1996, and

WHEREAS, besides being known for his strong arm in right field, Andre Dawson finished his 21-year major league career with impressive batting statistics, hitting 438 homers with 1,591 RBI's and a .279 career batting average, was an eight-time All-Star, and also had a total of 314 stolen bases, all accomplished while playing through twelve knee operations, and

WHEREAS, Dawson also holds the distinction, along with Barry Bonds and Willie Mays, as one of only three players in major league history to have hit 400 home runs and stolen 300 bases, and

WHEREAS, his 438 career home runs are the third-most by a Florida native, behind Fred McGriff (493) and Gary Sheffield (480), and

WHEREAS, Dawson and his wife, Vanessa, and their children, Darius and Amber, reside in Florida, and

WHEREAS, following the 1987 season, South Miami honored Andre Dawson by renaming a street "Andre Dawson Drive," and

WHEREAS, it is fitting and appropriate that, in the year of his induction into the Baseball Hall of Fame, the Florida Legislature recognizes Andre Dawson for his brilliant career in major league baseball and for his well-deserved induction into the Baseball Hall of Fame, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives of the State of Florida recognizes native Floridian, Andre "The Hawk" Dawson, for his numerous and significant achievements over the course of his 21-year career in major league baseball and offers its congratulations on his induction into the Baseball Hall of Fame on July 25, 2010.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Andre Dawson as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Holder—

HR 9117—A resolution recognizing the 2009 Tallahassee-Leon County 13-Year-Old and 15-Year-Old All-Star teams for winning Babe Ruth Baseball World Series Championships.

WHEREAS, in August 2009, having each won their State Championship and Southeast Regional Championship, the 2009 Tallahassee-Leon County 13-Year-Old and 15-Year-Old All-Star teams competed in the Babe Ruth Baseball World Series Championships, and

WHEREAS, the 2009 Tallahassee-Leon County Babe Ruth Baseball 13-Year-Old All-Star team went undefeated in tournament play, beating six other State Champion teams on their way to winning their World Series title, and

WHEREAS, with a 14-0 record, the 2009 Tallahassee-Leon County Babe Ruth Baseball 15-Year-Old All-Star team beat eight other State Champion teams on their way to winning their World Series title, and

WHEREAS, since its establishment in 1954, Tallahassee-Leon County Babe Ruth baseball has won five Babe Ruth Baseball World Series Championships, 14 Southeast Regional Championships, and 35 State Championships, and

WHEREAS, several former players in Tallahassee-Leon County Babe Ruth Baseball have gone on to play at the collegiate level, including Florida State University baseball players Mike Futrell, Brent Marsh, and Brandon Reichert, and University of Florida baseball player Gavin Dickey, and

WHEREAS, both the 2009 Tallahassee-Leon County Babe Ruth Baseball 13-Year-Old and 15-Year-Old All-Star teams played with outstanding skill, sportsmanship, character, and competitiveness, and

WHEREAS, the 2009 Tallahassee-Leon County Babe Ruth Baseball 13-Year-Old All-Star team included coaches Travis Erven, John Clarkson, and Tom Flagg and players Jared Barnes, Tyler Beal, Jacob Dulworth, Drew Faintich, Andrew Faulkner, J.D. Huggins, Garrett McGhin, Trey Melvin, Stephen Miller, Brad Scarboro, Logan Smith, Kyle Taddeo, Gage Timmons, Gage West, and Blake Zimmerman, and

WHEREAS, the 2009 Tallahassee-Leon County Babe Ruth Baseball 15-Year-Old All-Star team included coaches Mike McLeod, Mike Harrison, Jim Hage, and Alan Morlock and players Johnny Blue Craig, Cole Davis, Nick Deckert, Ryan Deckert, Ryan Delvecchio, Michael Hallenstein, Landon Hoffman, Garrett Johnson, Jackson Kittrel, Gillis Langston, Bobby Rice, Marshall Roberts, Payson Smith, Michael Ware, Tom Watson, and Gerad Williamson, and

WHEREAS, it is with great pride that the 2009 Tallahassee-Leon Babe Ruth teams are applauded for the numerous accomplishments of their players and coaches, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives honors the 2009 Tallahassee-Leon County 13-Year-Old and 15-Year-Old All-Star teams for their outstanding record and for winning Babe Ruth Baseball World Series Championships.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the 2009 Tallahassee-Leon County Babe Ruth Baseball 13-Year-Old and 15-Year-Old All-Star teams as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Zapata—

HR 9119—A resolution recognizing the students, faculty, staff, board of trustees, and alumni of Miami Dade College as they celebrate the college's 50 years as an outstanding institution of higher education.

WHEREAS, in 1960, Miami Dade College opened its doors as Dade County Junior College with a diverse student body totaling 1,428, and

became the first integrated junior college in Florida, offering a tuition-free education for all high school graduates residing in the county, and

WHEREAS, enrollment at the original North Campus site quickly grew and, by 1967, the college became the largest institution of higher learning in the State of Florida with 23,341 students, prompting expansion to Kendall and downtown Miami, and

WHEREAS, by the mid-1970s, Miami Dade's guiding philosophy of "access with excellence" was clearly defined with the adoption of higher academic standards, the addition of a Medical Center Campus, and the opening of the Inter-American Outreach Center of 2,000 students in the heart of Little Havana, now one of the largest bilingual facilities of higher learning in the United States, and

WHEREAS, Miami Dade College became known as "Democracy's College" as it firmly established itself as the nation's most diverse educational institution, and

WHEREAS, in 1984, the New World School of the Arts was conceived and designed to train future performing and visual artists from high school through undergraduate studies, creating the first seamless partnership between Miami-Dade County Public Schools, Miami Dade College and, later, the University of Florida, and

WHEREAS, Miami Dade College has long been the community's cultural anchor, home of the Miami Book Fair International, the Miami International Film Festival, the National Historic Landmark Freedom Tower, the Cultura del Lobo Performance Arts Series, a renowned art gallery system, and acclaimed campus theaters, and

WHEREAS, Miami Dade College has continued to expand access to students throughout the county, opening the Hialeah Center in 1981 which, today, boasts an enrollment of more than 12,000 students, and, in 1985, opening the Homestead Campus, which has become a vibrant modern campus in the heart of the revitalized Homestead community, and

WHEREAS, Miami Dade College's reputation for high achievement has continued to receive national acclaim, including recognition by the prestigious University of Texas Community College Leadership Program as the "Best and Most Innovative" community college in the nation, and

WHEREAS, in the 1990s, Miami Dade College, in a bold response to the changing economy and workforce, restructured its academic programs to meet the demands of emerging industries, introducing more than 50 new degree and short-term certificate training programs, developing multimedia classrooms and the Virtual College, and receiving recognition from Yahoo's Internet Life and the Smithsonian Institute for Innovation as one of the best-wired colleges and universities nationwide, and

WHEREAS, in response to the need for a qualified workforce in information technology and telecommunications, Miami Dade College has, over the past 10 years, built and expanded the Emerging Technologies Center of the Americas, a state-of-the-art, 40,000-square-foot facility that houses 19 multimedia classrooms and labs, specialized equipment, and simulation stations, and a new science complex consisting of 90,000 square feet of lab, classroom, meeting, greenhouse, and research space, and

WHEREAS, Miami Dade College added an eighth campus in the Doral area, the West Campus, and established the Honors College, which offers gifted students a rich, academically challenging curriculum and the opportunity to transfer to some of the most prestigious colleges and universities in the nation through more than 60 articulation agreements, and

WHEREAS, Miami Dade College is known as the "great equalizer" in the community and as an incubator of the human spirit, and continues to meet the workforce needs of the region, especially in areas of critical shortage, including education, nursing, public safety, film and digital production, and electrical engineering, and

WHEREAS, Miami Dade College offers bachelor's degrees to place-bound, nontraditional students who, otherwise, might not realize their dream of a college education, and

WHEREAS, Miami Dade College has been recognized by the Carnegie Foundation for the Advancement of Teaching for helping first-generation and disadvantaged students to attend college and engage in service-learning, and by the Chronicle for Higher Education as one of its "Great Colleges to Work For," and

WHEREAS, Miami Dade College received the first-annual Theodore M. Hesburgh Award for teaching and learning from the American Council on Education, was named one of the nation's top 25 "Best Neighbor Colleges and Universities" by the Survey of Best College and University Civic Partnerships Project, and has received many other national awards and recognitions, and

WHEREAS, the faculty at Miami Dade College continue to be recognized for their outstanding commitment, dedication, innovation, and excellence in teaching, as exemplified most recently by the recognition of Sandra Schultz as the 2009 Florida Professor of the Year by the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education, and

WHEREAS, Miami Dade College has been deemed one of the most efficient, effective, and well-managed institutions in the nation by the Washington Economics Group, and

WHEREAS, Miami Dade College President Dr. Eduardo J. Padron was named to Time magazine's list of "The 10 Best College Presidents" in the nation in its November 2009 issue and was honored by Florida Trend magazine in 2010 as "Floridian of the Year" for his tireless advocacy of the vital role community colleges play in revitalizing the economy, and

WHEREAS, Miami Dade College is the nation's largest institution of higher education, having taught more than 1.7 million students, and is the top producer of college degrees in the nation, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives recognizes Miami Dade College on the occasion of its 50th Anniversary and congratulates President Eduardo J. Padron, Board of Trustees Chair Helen Aguirre Ferre, and the members of the board, and the faculty, staff, students, and alumni of the college on an outstanding half century of service and leadership.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Zapata—

HR 9123—A resolution recognizing Leslie V. Pantín, Jr., for his valuable contributions to the residents of the State of Florida and honoring him as one of Florida's great innovators.

WHEREAS, Leslie V. Pantín, Jr., a native of Havana, Cuba, began his professional career working with his family's insurance agency, and later ventured into public relations when he and a group of his friends created Calle Ocho, the world's largest block party, which has evolved into Carnival Miami, and

WHEREAS, today, Leslie V. Pantín, Jr., serves as President of Pantín/Beber Silverstein Public Relations, serving national and international clients with his expertise in diversity, business issues, Hispanic affairs, community relations, and education, and

WHEREAS, Leslie V. Pantín, Jr., is responsible for creating Cuba Nostalgia, an annual expo of Cuba's rich history, and Merrill Lynch Arteaméricas, a Latin American art exhibition, and

WHEREAS, Leslie V. Pantín, Jr., is a member of the Counselors Academy of the Public Relations Society of America, serves as an advisor and honorary board member of the Black Executive Forum, sits on the board of trustees of Goodwill Industries of South Florida, and is on the board of directors of Ronald McDonald House Charities of South Florida, and has held leadership positions for events such as the Summit of the Americas, Super Bowl XXIII, the Miss Universe Pageant, the 1987 Papal visit, and The Breeders Cup, and

WHEREAS, Leslie V. Pantín, Jr., has served on the executive committees of the Greater Miami Chamber of Commerce and the Florida Chamber of Commerce, and

WHEREAS, Leslie V. Pantín, Jr., served on the Board of Trustees of Miami Dade Community College and as the chairman of the Board of Trustees of Barry University and is currently a member of the Board of Trustees of Florida State University, and

WHEREAS, in 1988, the Miami Herald named Leslie V. Pantín, Jr., as one of 18 private citizens who helped shape Miami and, in 1993, as one of the 100 people to shape South Florida's history, and, in 1998, honored him with its Spirit of Excellence Award, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That Leslie V. Pantín, Jr., is recognized for his valuable contributions to the residents of the State of Florida and is honored as one of Florida's great innovators.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Leslie V. Pantín, Jr., as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

Reports of Standing Councils and Committees

Received April 22:

The Full Appropriations Council on Education & Economic Development reported the following favorably:
CS/HB 1203 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1203 was laid on the table.

The Full Appropriations Council on Education & Economic Development reported the following favorably:
CS for HB 1407, HB 1367 & HB 1605 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS for HB 1407, HB 1367 & HB 1605 was laid on the table.

Excused

Rep. Abruzzo; Rep. Carroll from 12:00 p.m. until 2:56 p.m.; Reps. Coley, Culp; Rep. Randolph after 3:00 p.m.; Rep. Renuart

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

HB 5001, and related legislation (HB 5003, CS/HB 5101, HB 5201, HB 5301, HB 5303, HB 5305, HB 5307, HB 5309, HB 5311, CS/HB 5401, HB 5403, HB 5501, CS/HB 5503, HB 5505, HB 5601, HB 5603, HB 5605, HB 5607, CS/HB 5611, HB 5701, HB 5703, HB 5705, HB 5707, HB 5709, HCR 5711, HB 5713, CS/HB 5801, CS for CS for SB 1238, CS for SB 1396, CS for SB 1436, CS for SB 1442, CS for CS for SB 1484, CS for SB 1508, CS for SB 1510, CS for SB 1514, CS for CS for SB 1516, CS for SB 1592, CS for SB 1646, CS for SB 2020, CS for SB 2024, CS for SB 2374, and CS for SB 2386), to serve with Rep. Rivera, Chair: PreK-12 Appropriations Committee—Rep. Flores, Chair, and Reps. Bullard, Clarke-Reed, Coley, Fresen, Kiar, Legg, and Stargel; State Universities & Private Colleges Appropriations—Rep. Proctor, Chair, and Reps. Bernard, Brisé, Burgin, Dorworth, Jones, McKeel, O'Toole, and Reed; Transportation & Economic Development Appropriations—Rep. Glorioso, Chair, and Reps. Carroll, Fitzgerald, Gibson, Jenne, Horner, Hukill, Murzin, Patronis, Rogers, and Schenck; Criminal & Civil Justice Appropriations—Rep. Adams, Chair, and Reps. Eisnaugle, Holder, Kreegel, McBurney, Porth, Rouson, Soto, and Tobia; Government Operations Appropriations—Rep. Hays, Chair, and Reps. Abruzzo, Braynon, Gonzalez, Nelson, Ray, A. Williams, and Workman; Health Care Appropriations—Rep. Grimsley, Chair, and Reps. Chestnut, Ford, Frishe, Hudson, Y. Roberson, Skidmore, and N. Thompson; Natural Resources Appropriations—Rep. Poppell, Chair, and Reps. Bembry, Boyd, Brandenburg, Crisafulli, Plakon, Precourt, and T. Williams; Full Committee—At Large: Reps. Aubuchon, Bogdanoff, Galvano, Gibbons, Hasner, Lopez-Cantera, Reagan, Sands, G. Thompson, Thurston, and Weatherford.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 8:34 p.m., to reconvene at 9:30 a.m., Friday, April 23, 2010, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Thursday, April 22, 2010

HJR	15 — Read 3rd time; Passed; YEAS 109, NAYS 1	CS/HB	859 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
CS/CS/HB	31 — Read 3rd time; CS passed; YEAS 107, NAYS 8	CS/CS/HB	869 — Read 3rd time; Amendment 627425 adopted; CS passed as amended; YEAS 114, NAYS 0
CS/CS/HJR	37 — Read 3rd time; Amendment 213599 Failed; CS passed; YEAS 74, NAYS 42	HB	903 — Read 2nd time
CS/CS/HB	203 — Temporarily postponed, on 2nd Reading	HB	937 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/CS/CS/HB	311 — Read 2nd time; Amendment 429371 adopted	CS/HB	955 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
CS/HB	317 — Read 3rd time; CS passed; YEAS 111, NAYS 0	CS/HB	957 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
CS/CS/HB	325 — Read 2nd time; Amendment 025103 adopted	CS/CS/CS/HB	963 — Read 2nd time; Amendment 136247 adopted; Amendment 432499 adopted; Amendment 430625 adopted
CS/HB	357 — Temporarily postponed, on 2nd Reading	CS/CS/HB	965 — Read 2nd time; Amendment 840033 adopted
CS/HB	393 — Read 2nd time	CS/HB	1003 — Read 3rd time; CS passed; YEAS 111, NAYS 0
CS/CS/HB	423 — Read 2nd time; Read 3rd time; CS passed; YEAS 105, NAYS 2	CS/HB	1035 — Read 2nd time
HB	431 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0	CS/CS/HB	1043 — Read 2nd time; Amendment 609393 adopted; Amendment 813099 adopted
CS/CS/HB	447 — Temporarily postponed, on 3rd Reading	HB	1045 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/HB	449 — Read 2nd time	HB	1047 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/HB	467 — Read 2nd time	HB	1049 — Read 2nd time
CS/CS/HB	511 — Read 2nd time; Read 3rd time; CS passed; YEAS 104, NAYS 3	HB	1051 — Read 2nd time
HB	521 — Read 3rd time; Passed; YEAS 110, NAYS 0	HB	1053 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/HB	523 — Read 3rd time; CS passed; YEAS 112, NAYS 0	HB	1055 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
HB	525 — Read 2nd time	CS/HB	1059 — Read 2nd time
CS/HB	615 — Read 2nd time	CS/HB	1085 — Read 2nd time; Amendment 177563 adopted
CS/CS/CS/HB	621 — Temporarily postponed, on 3rd Reading	HB	1121 — Read 2nd time
CS/CS/CS/HB	631 — Read 2nd time; Amendment 904513 adopted	CS/HB	1129 — Read 2nd time
CS/CS/HB	633 — Read 3rd time; CS passed; YEAS 114, NAYS 0	CS/CS/CS/HB	1143 — Temporarily postponed, on 2nd Reading
CS/HB	637 — Read 2nd time	CS/HB	1145 — Read 3rd time; CS passed; YEAS 105, NAYS 0
CS/CS/CS/HB	665 — Read 2nd time; Amendment 477887 adopted	HB	1159 — Read 3rd time; Passed; YEAS 109, NAYS 0
CS/CS/CS/HB	713 — Read 3rd time; CS passed; YEAS 114, NAYS 0	HB	1195 — Read 3rd time; Passed as amended; YEAS 109, NAYS 0
CS/CS/HB	723 — Read 2nd time; Amendment 926887 adopted		
CS/HB	731 — Read 2nd time; Amendment 795267 adopted		
HB	759 — Read 2nd time		
CS/HB	821 — Read 3rd time; CS passed; YEAS 113, NAYS 1		
CS/CS/CS/HB	831 — Read 2nd time; Read 3rd time; CS passed; YEAS 92, NAYS 6		

CS/HB	1209 — Read 2nd time	CS/HB	1517 — Read 2nd time; Amendment 292891 adopted; Amendment 002123 adopted; Amendment 656461 adopted; Amendment 683907 adopted
HB	1215 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0	HB	1519 — Read 2nd time
CS/CS/HB	1237 — Read 2nd time	CS/HB	1547 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
CS/HB	1247 — Read 2nd time	CS/HB	1551 — Read 2nd time
HB	1249 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0	CS/HB	1621 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
HB	1293 — Temporarily postponed, on 2nd Reading	HB	1625 — Read 2nd time
HB	1295 — Read 2nd time	CS/HB	1627 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0
HB	1301 — Read 3rd time; Passed; YEAS 111, NAYS 1	HB	1629 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/HB	1363 — Read 2nd time	HB	1631 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/CS/HB	1389 — Read 3rd time; CS passed; YEAS 115, NAYS 0	HB	1635 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0
CS/HB	1403 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0	CS for SB	2742 — Read 3rd time; CS passed as amended; YEAS 79, NAYS 33
CS/CS/HB	1411 — Read 3rd time; Amendment 949039 adopted; CS passed as amended; YEAS 111, NAYS 0	HB	7017 — Read 2nd time; Amendment 738823 adopted
CS/HB	1425 — Read 2nd time; Amendment 139753 adopted	HB	7019 — Read 2nd time
CS/HB	1455 — Read 3rd time; CS passed; YEAS 108, NAYS 0	CS/HB	7095 — Temporarily postponed, on 2nd Reading
CS/HB	1473 — Read 2nd time	CS/HB	7109 — Read 2nd time
CS/CS/HB	1483 — Read 2nd time; Read 3rd time; CS passed; YEAS 107, NAYS 0	CS/HB	7129 — Read 3rd time; CS passed as amended; YEAS 109, NAYS 0
HB	1485 — Read 2nd time; Read 3rd time; Passed; YEAS 107, NAYS 0	CS/HB	7205 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0
CS/HB	1487 — Read 2nd time; Read 3rd time; CS passed; YEAS 106, NAYS 1	CS/CS/HB	7209 — Read 2nd time; Amendment 555489 adopted
CS/CS/HB	1503 — Read 2nd time; Amendment 233527 adopted; Amendment 245441 adopted; Amendment 019161 adopted; Amendment 315225 adopted; Amendment 948421 adopted; Amendment 074519 adopted; Amendment 607729 adopted; Amendment 135769 adopted; Amendment 472685 adopted; Amendment 031777 adopted; Amendment 186405 adopted; Amendment 146229 adopted; Amendment 049855 adopted; Amendment 012299 adopted; Amendment 363825 adopted; Amendment 932267 adopted; Amendment 532749 adopted	HB	7211 — Temporarily postponed, on 2nd Reading
		CS/HB	7213 — Read 3rd time; CS passed; YEAS 113, NAYS 0
		HB	7217 — Read 2nd time
		HB	7237 — Read 2nd time; Amendment 742699 adopted

JOURNAL OF THE HOUSE OF REPRESENTATIVES

DAILY INDICES FOR

April 22, 2010

NUMERIC INDEX

HB 7.....	920	CS/CS/CS/HB 1143	902
HJR 15.....	862, 920	CS/HB 1145.....	859, 920
CS/CS/HB 31	865	HB 1159.....	860, 920
CS/CS/HJR 37	861-862	HB 1195.....	865-866
CS/HB 97	920	CS/CS/HB 1203	920
CS for HB 105	918	CS/HB 1203.....	927
CS/HB 129	920	CS/HB 1209.....	912
CS for HB 143	919	HB 1215.....	908
CS/CS/CS/HB 311	884	CS/CS/HB 1237	902
CS/HB 317	870, 920	CS/HB 1247.....	912
CS/CS/HB 325	885, 920	HB 1249.....	908
CS/HB 357	895	CS for HB 1291.....	919
HB 387	920	HB 1293.....	902
CS/HB 393	871	HB 1295.....	913
CS/CS/HB 423	904	HB 1301.....	869
HB 431	904	CS/HB 1363.....	871
CS/CS/HB 447	858, 920	CS/CS/HB 1389	863
CS/HB 449	915	CS/HB 1403.....	908
CS/HB 467	914, 920	CS for HB 1407, HB 1367 & HB 1605.....	927
CS/CS/HB 511	904	CS/CS for HB 1407, HB 1367 & HB 1605.....	921
CS/CS/HB 513	920	CS/CS/HB 1411.....	867-868
HB 521	859	CS/HB 1425.....	913
CS/HB 523	870, 893	CS/HB 1455.....	860, 920
HB 525	904	HM 1459	920
CS/HB 615	914	CS/HB 1473.....	913
CS/CS/CS/HB 631	871, 920	CS/CS/HB 1483	909
CS/CS/HB 633	866, 920	HB 1485.....	909
CS/HB 637	878	CS/HB 1487.....	909
CS/CS/HB 645	921	CS/CS/HB 1503	878, 884, 915, 918
CS/CS/CS/HB 665	878, 920	CS/HB 1517.....	903
CS/CS/CS/HB 713	863	HB 1519.....	913
CS/CS/HB 723	914	CS/HB 1547.....	910
CS/HB 731	870	CS/HB 1551.....	901
HB 759	912	CS/HM 1583	920
CS/HB 821	868	CS/HB 1621.....	910
CS/CS/CS/HB 831	912	HB 1625.....	913
CS/HB 859	905	CS/HB 1627.....	910
CS/CS/HB 869	864-865, 920	HB 1629.....	911
HB 903	901	HB 1631.....	911
HB 905	920	HB 1635.....	911
HB 937	905	CS/SB 2054.....	919
CS/HB 955	906	SB 2284	919
CS/HB 957	906	CS for SB 2742	860
CS/CS/CS/HB 963	901	HB 7017.....	894
CS/CS/HB 965	902, 920	HB 7019.....	894
CS/HB 1003	859, 920	HB 7091.....	919
CS/HB 1035	902	HB 7093.....	919
CS/CS/HB 1043	895	CS/HB 7095.....	871
HB 1045	906	CS/HB 7109.....	895
HB 1047	907	HB 7111.....	919
HB 1049	912	HB 7123.....	919
HB 1051	912	CS/HB 7129.....	858, 920
HB 1053	907	CS/HB 7179.....	920
HB 1055	907	CS/HB 7205.....	867
CS/HB 1059	878	CS/CS/HB 7209	896
CS/HB 1085	915	HB 7211.....	901
CS/CS/HB 1107	920	CS/HB 7213.....	865
CS/HB 1113	920	HB 7217.....	901
HB 1121	912	HB 7237.....	913
CS/HB 1129	912	HB 7243.....	920

JOURNAL OF THE HOUSE OF REPRESENTATIVES

HCR 8001	920	HR 9089	924
HR 9005	921	HR 9091	920
HR 9007	921	HR 9095	920-921
HR 9035	921	HR 9107	924
HR 9043	920	HR 9109	925
HR 9059	921	HR 9115	920
HR 9069	922	HR 9117	925
HR 9071	922	HR 9119	925
HR 9077	923	HR 9123	926
HR 9081	923	HR 9133	920
HR 9085	923		

SUBJECT INDEX

Bills and Joint Resolutions on Third Reading.	858, 893	Reconsideration	918
Cosponsors.	920	Reference	921
Excused	927	Reports of Standing Councils and Committees	855, 927
First Reading of Council and Committee Substitutes by Publication.	920	Special Orders.	894
First-named Sponsors	920	Votes After Roll Call	919
House Resolutions Adopted by Publication	921	Withdrawals as Cosponsor.	920
Messages from the Senate.	918		